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ROYAL COMMISSION

ON

(41)
PILOTAGE

HEARINGS

HELD AT
MONTREAL

P. Q.

VOLUME No.:

91A-93A

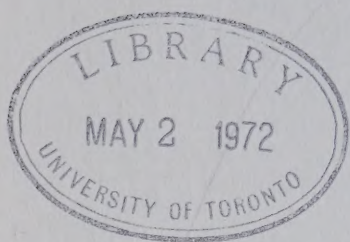
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THE ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing
held at the Old Courthouse
Building, Montreal, Quebec,
on Wednesday, the 11th day
of December, 1963.

COMMISSION:

The Honourable Mr. Justice Bernier	Chairman
Mr. Robert K. Smith	Member
Mr. Harold A. Renwick	Member
Mr. Gilber Nadeau	Secretary

COMMISSION COUNSEL

Mr. Maurice Jacques

PRESENT

Mr. Leopold Langlois, Q.C.	for the Canadian Merchant Service Guild
Mr. J. Brissett, Q.C.	for the Shipping Feder- ation of Canada
Mr. C. Mason	for the Dominsion Marine Association
Mr. Marc Lalonde	for the Federation of St. Lawrence River Pilots; Corporation of the Lower St. Lawrence Pilots; the Corporation of the Mid- St. Lawrence Pilots; the Corporation of the Montreal Harbour Pilots; the Corporation of the St. Lawrence River and Seaway Pilots; the Cor- poration of the Upper St. Lawrence Pilots.

* * * * *



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ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

Montreal, Quebec
Wednesday
December 11th, 1963

11296

MR/RPS

1 French

2 ---UPON COMMENCING AT 10:00 A.M.

3

4 RAYMOND BISSONNETTE, Re-Sworn

5 (THROUGH THE INTERPRETER.)

6 CONTINUATION OF DIRECT EXAMINATION BY MR. LALONDE:

7 Q. Before starting the study or the
8 examination of these specific recommendations of your
9 group Mr. Bissonnette, I asked you a question yester-
10 day in order to find out if you had been consulted
11 previously in any way whatsoever regarding the organ-
12 ization of the pilotage system for the Great Lakes
13 area in accordance with the Canadian and American
14 agreement. To your own mind do you think your consult-
15 ation would have been useful either as a consultant
16 or as an adviser? Were there any specific cases where
17 you think you might have been useful?

18 A. Yes, I think so. There was another
19 problem which had to do with the remuneration of the
20 pilots in the District. When the system has been
21 established, the remuneration of pilots was done on a
22 daily basis and we had always maintained that the
23 remuneration per trip was fairer to pilots. Consequently,
24 it was a great improvement that we might have suggested
25 because subsequent to that this recommendation that
26 we made to the authorities has been accepted by both
27 groups. I think it was very important.

28 Q. By the two groups of pilots?

29 A. No, the two Pilotage Authorities in
30 Washington and Ottawa.



1 French

2 Q. What would happen? Was there a
3 subsequent amendment in that respect?

4 A. Yes, there was an amendment to the
5 agreement that had been signed in 1959.

6 Q. What was the inconvenience of that
7 type of remuneration on a daily basis?

8 A. Well when a pilot was on the assign-
9 ment list, he receives the same amount as the other
10 pilots even if he did not work. Consequently, a pilot
11 could have performed four trips in a week and another
12 one could have performed only one trip and received
13 exactly the same amount of money.

14 As an example, a pilot might have -- well
15 let us say the pilot was second on the assignment list.
16 He could have changed his turn with the last one on the
17 list and once his name was the first on the list,
18 sometimes there might be a delay of three or four
19 days and consequently he was always being paid while
20 his name was on the list and when he was back first
21 on the turn, his name could be eliminated from the list
22 for 24 hours and when his 24 hours had expired, well
23 his name was on the bottom of the list and there might
24 be another delay of four or five days before he had
25 his turn again.

26 Q. What time elapsed between the establish-
27 ment of this system and the enforcement of that By-Law?

28 A. I think it came in force on August
29 1st 1962.

30 Q. Now will you please take the brief



1 French

2 submitted by the Federation of the St. Lawrence Pilots
3 to this Commission and look at the specific recommendations
4 of your Corporation, paragraph 672 and following on
5 page 240 of the English text.

6 The first recommendation is a request for
7 the Seaway to furnish linesmen on the approach walls.
8 Captain Davis already gave his viewpoint about that
9 matter. Would you have anything to add about this?

10 A. Yes, certainly I think that linesmen
11 are absolutely necessary at all approach walls along
12 the Seaway and I think that there are many good
13 reasons for that.

14 In the first place, whenever you make an
15 approach wall with a vessel, the ship's master on most
16 vessels tells you that at the approach wall the vessel
17 must be quite near or entirely stopped before he can
18 drop his line. In many cases it is quite difficult
19 to stop the vessel entirely on the approach wall and
20 to drop off the men, these men to take the lines. If
21 there was a wind which was contrary to the vessel,
22 or even stopping your engines any navigator knows
23 whenever you go in the River, the pressure of the water
24 goes between the vessel and the approach wall and your
25 vessel drifts off, so if it takes a little while to
26 drop off the men who take hold of the lines, well
27 naturally we have to go in the River in order to sort
28 of tie the vessel and then in order to drop off the
29 seamen. If your vessel has a different slant from that
30 of the approach wall, it is practically impossible to drop



1 French
2 off the men. You can swing them out of the vessel up
3 to 10 feet, but at 10 feet if the vessel has a different
4 slant well the man is at the end of the cable and
5 sometimes he may just knock himself on the vessel and
6 many times a few of them just drowned.

7 Q. So far as you are concerned, did
8 you ever meet any difficulties regarding that with the
9 vessels that you were piloting?

10 A. Yes and I think a good linesman --
11 on many occasions, especially whenever there is a wind,
12 we could make the approach wall with higher speed.
13 If we were there, there would be linesmen because on
14 many occasions we need a little speed in order to make
15 the approach wall. If we are sure there would be
16 linesmen there, then we could make the wall, make for
17 the approach wall far more easier and on many occasions
18 I know that there are many vessels that have been
19 damaged.

20 Q. To your own mind would there result
21 often a certain time for the ships? Do you think the
22 ships could sort of circulate more often if you have
23 such a service?

24 A. Yes, because of most vessels, whenever
25 the ship's master tell us that the men do not drop off
26 until the vessel is completely stopped, well if there
27 is a contrary wind, well we must be very careful so
28 most of the time if we figure that it will take 15
29 minutes or 20 minutes, or half an hour before reaching
30 the lock, we try to sort of kill time or on many occasions



1 French

2 as we don't want to go too near the other vessel, give
3 him time to go through the lock, so if we were tied to
4 the approach wall, whenever our turn came to enter the
5 lock, then we could save a great deal of time and in
6 1959 I would like to draw attention to the fact that
7 there was a ship's company, the TEXACO who had its own
8 linesmen who went from -- who followed the vessel from
9 Montreal to Iroquois and there were linesmen were
10 following all the vessels from lock to lock travelling
11 by car.

12 Q. And this company followed that pract-
13 ice since 1951?

14 A. Yes.

15 Q. That company had big tankers?

16 A. Yes, they had big tankers transitting
17 the area.

18 Q. Did you ever had any captains who
19 refused to drop off linesmen?

20 A. Yes, on one particular occasion I had
21 a ship's master, after I went on board at Snell Lock he
22 told me to tell him at least 15 or 20 minutes in advance
23 if we are forced to tie, because he did not have any
24 confidence in landing booms and he did not want any
25 accidents to occur for his crew. I think he has had a
26 little fibreglass vessel he could put in the water, and
27 he put always two members of the crew on this vessel
28 and then these men could sort of take the lines whenever
29 they were near the approach wall.

30 Many captains suggested that the linesmen



1 French

2 were absolutely essential on the Seaway.

3 Q. Were these suggestions that were made
4 to you?

5 A. Yes, because on many occasions,
6 especially when we have a strong wind, we always give
7 a long notice to the captain about the way we have to
8 tackle the approach wall at certain speed and we want
9 the men to work as fast as possible and to take the line
10 as fast as possible and many of them suggested to us
11 if there was a danger of accident to the crew, they
12 would prefer to stop and anchor and wait for the wind
13 to sort of abate before resuming their route.

14 Q. The second recommendation has to do
15 with special wheelmen for vessels of more than 3,000
16 tons, net tons for her passage of the Seaway. In many
17 cases these wheelmen could be utilized with the
18 consent of the captain. Once again do you have something
19 to add to what Captain Davis said about it?

20 A. Well certainly if we had competent
21 wheelmen, I think that there would be far less
22 accidents and on many occasions it would be made
23 easier for the pilot. In 1959 I think that most pilots
24 had to act as wheelmen in order to go into the narrows
25 or lakes.

26 Q. Does it happen at times that pilots
27 act as wheelmen?

28 A. Yes, on certain occasions. Even I
29 personally, I often take the wheel especially for an
30 approach wall or to make a lock whenever there is a great



1 French

2 deal of wind, and if I find that the wheelsman is not
3 competent, I prefer to become the wheelsman myself.
4 Sometimes visibility is not too good and tonnage of
5 vessels is increasing all the time and consequently
6 this makes everything quite difficult and the wheels-
7 man must be on the bridge until late.

8 Q. In the case of where you act as wheels-
9 man, you obtain the consent of the captain?

10 A. Yes. We say Captain, and we tell
11 him that in order to avoid any danger to the vessel,
12 it would be better for us to take the wheel and we ask
13 them to help us out, stay on the bridge and tell us
14 at what distance we are from the wharf, and so forth,
15 and most of the time they are quite satisfied and they
16 prefer, as a matter of fact, for us to take the wheel.

17 On many occasions we make certain arrange-
18 ments, tell the captain when going on board that in
19 order to pass through the locks we would need a compet-
20 ent wheelsman so on certain vessels there is a wheels-
21 man who is assigned solely to pass through the narrows
22 or the locks such as the American locks and the
A2 23 Brockville Narrows.

24 Q. You have a third recommendation, unless
25 you have something else to add about wheelsmen?

26 A. No, I don't think so.

27 Q. The third recommendation that an
28 appropriate system of apprenticeship be adopted in the
29 District. You state in the explanation about this
30 recommendation that to your mind a true apprenticeship



1 French

2 system would be the best possible way of training
3 pilots. Could you please give more details about this
4 recommendation?

5 A. At the present time within our District
6 when we ask for pilots in order to cover Lake Ontario,
7 it was well-understood that the pilot that we had asked
8 for, that pilots be taken from the list of eligible
9 applicant apprentices to become pilots and that these
10 would become pilots in our District No. 1 of Kingston
11 later on, as they already had passed an examination
12 for a pilot.

13 In 1959 we had asked that these three pilots,
14 aside from performing their trips on Lake Ontario
15 could perform regular trips in the District of pilots
16 in order to be kept aware of all the changes in the
17 River and to have good experience on the River with a
18 pilot. At the present time we have two pilots on Lake
19 Ontario which, according to the agreement with the
20 Government will become the future pilots of the Kingston
21 District.

22 On the American side it is the same thing.
23 These three apprentices sail on Lake Ontario and they
24 consider these as future pilots for the District. On
25 one occasion last summer a pilot, an American pilot had
26 his licence cancelled and the American Authority decided
27 to take an apprentice for Lake Ontario in order to
28 give him his licence for the District as a pilot, so
29 I think so far as the apprenticeship system is concerned,
30 well six men will have to pass through the District to



1 French

2 become pilots in the District before we need new apprent-
3 ices and as the average in age is quite young in our
4 District, I think that once these men will have been
5 assigned to the District, we will have to reach an
6 agreement with the American pilots about that but I
7 that that any appropriate scheme of apprenticeship like
8 exists, as it exists in other Districts, would be
9 pertinent.

10 Q. Don't you think that you could use
11 the system existing at the present time which is used,
12 for example, for Lake Ontario pilots?

13 A. There is a difference. The pilots
14 of Lake Ontario at the present time are people who
15 were mates on lakers and who were transitting one hundred
16 times every year in the District, so these men had
17 a thorough knowledge of the District; could even pass
18 an examination while the men that we could put on
19 Lake Ontario today, well I don't think they have
20 accumulated the same experience as formerly as they
21 perform only about 10 trips on lakers a year, so I
22 think that the men of that time had more experience and
23 were transitting the District more often.

24 Q. If I understand you properly, you
25 mean that upper lakers do not transit the District as
26 often as it was the case beforehand?

27 A. Yes.

28 Q. And you think that the officers of
29 these vessels have less experience than they used to
30 have?



1 French

2 A. Perhaps not less experience but
3 just the same they don't pass or transit the District
4 often enough to be entirely kept up-to-date about the
5 changes in the River as well as manoeuvres, because in
6 our District manoeuvres represent a great part of our
7 task and the pilots on Lake Ontario at the present time
8 were pilots on lakers and undertook some manoeuvres
9 quite regularly.

10 Q. This goes back before the establishment
11 of the Seaway?

12 A. Yes, because these names were taken
13 from the old list, St. Lawrence, Kingston-Ottawa.

14 Q. These candidates, were they in the
15 same position as you are? They were transitting
16 regularly the District prior to that?

17 A. Yes, they were travelling from Montreal,
18 Toronto and Hamilton, Prescott and so forth so they
19 were doing at least four transits in a District a week.

20 Q. Now your fourth recommendation has to
21 do with exemptions. You ask that the only ships exempt
22 from compulsory pilotage in the Kingston District be
23 the ships presently exempt from the compulsory payment
24 of pilotage dues in the District of Montreal. Practically
25 speaking it could be said that such a request would
26 have as an effect to take away the exemption existing
27 at the present time for most Canadian and American lakers?

28 A. Yes.

29 Q. What are your arguments in order to
30 justify such a recommendation to the Commission?



1 French

2 A. Well I think I covered that subject
3 briefly with the question of apprentices in the District
4 but I think that these vessels, as I said previously,
5 perform about 10 trips per year, that is from the Great
6 Lakes to Montreal or Quebec or Seven Island so this
7 is about 20 transits each in the season and prior to that
8 most of the lakers would transit the area about a hundred
9 times per year so today I think that the mates of
10 these vessels help the captain to do the piloting in
11 the District.

12 Perhaps they are competent but they could
13 be more competent. Naturally I don't question the
14 competency of the ships' masters of these vessels but
15 naturally it is impossible for such a Captain to be
16 on the spot during the whole route.

17 We have a good example of that last week
18 in foreign vessels and when you go on at Cape Vincent
19 well the captain tells you I was 22 hours up. I had
20 to stay up going through Lake Ontario because of the fog,
21 and so forth, so naturally it is absolutely important
22 to have a pilot on board because the ships' masters
23 certainly could not stand up to Montreal.

24 Q. There are certain recommendations to the
25 effect that there would be a certain procedure accord-
26 ing to which, in the first place, you have some contract
27 pilots and also in the case of upper lakers you have
28 certain mates who would sign articles on many vessels
29 at the same time and who in fact could act as pilots
30 practically exclusively between Montreal and Kingston.



1 French

2 Couldn't it be said that such a system gives enough
3 experience to the interested officers or mates and
4 who could certainly become pilots in the District?

5 A. I don't think that they have the
6 required competency because these vessels, well most
7 of these lakers remain in the middle of the channel
8 and most of the time you have to go around these
9 vessels and this proves the idea that there were
10 always two regimes of pilots.

11 Q. Would you have any objection to the
12 existence of two systems of pilots?

13 A. No, I don't have any objection for
14 there being two systems of pilots. At least they should
15 be licensed pilots, insofar as they are licensed
16 pilots and recognized pilots, like the special pilots.
17 They are licensed pilots recognized by the Pilotage
18 Authority, whilst the others are not licensed pilots.

19 Q. If I understand you correctly I think
20 that these pilots are not licensed pilots?

21 A. That is what I said. Special
22 pilots are licensed pilots.

23 Q. Do you have any objection to this
24 regime of licensed pilots?

25 A. Yes, I think so because I think that
26 the system made in the course of doing piloting -- because
27 there are only two remaining pilots -- once these withdraw
28 from pilotage, there will no longer be any licences
29 that will be renewed so I think that we are all clear
30 in that.



1 French

2 Q. Do you have anything to add about the
3 question of exemption?

4 A. It often happens that when we meet
5 another group, we are often very very near another laker.
6 This happens to us often.

7 Q. Have you had this experience yourself?

8 A. Yes, certainly.

9 Q. You talked about the Canadian-American
10 Corporation and the recommendation No. 5 suggests that
11 an agreement should be taken between Canada and the
12 United States for the existence of a Local Superintend-
13 ent in Cornwall to deal with the two groups of pilots.
14 Also you say if the recommendation of the Federation
15 is accepted by the Commission, the groups of pilots
16 could themselves be responsible for the setting up of
17 such an authority. What are the reasons behind this
18 recommendation? What are the advantages of this
19 recommendation?

20 A. I think that in a District there should
21 be only one Authority, one Superintendent. In the
22 Kingston District the Local Superintendent at present
23 has no authority whatsoever. Over at Cape Vincent
24 office, or with the American pilots, half of the
25 dispatching is done -- there have been various problems
26 arising and pilots do not always share the views of
27 the Local Superintendent and therefore I think with
28 only one Superintendent he should have authority over
29 both groups so that there should be one group for
30 everybody.



1 French

2 Q. You suggest, in another recommendation,
3 recommendation No. 6 that there should be one place
4 for the centralization and billing, dispatching of
5 pilots. You say that this place should be preferably
6 Cornwall. Captain Edwards also mentioned this. Do
7 you have anything to add to what he said?

8 A. Yes. From a purely economic point
9 of view it would be economical to have just one central-
10 ized billing and dispatching of pilots. In 1961 we
11 have had the experience where all the billing was done
12 in Cornwall and the expenses were the same in that
13 District and at that time there were no double billings
14 for the pilots as there is today. At present we have
15 the Cape Vincent office and also the Cornwall office
16 both responsible for the dispatching. We also have
17 another company, Leary and Dox I believe it is, under
18 contract with the American pilots for the billing only
19 downstream. This, I think, is too much for one District
20 and it could be eliminated. Several American pilots
21 tell us that such a change should be taken. These are
22 the impressions of the American pilots. There should
23 be one office for billing and one for dispatching.

24 I think that if the Commission were to
25 accept the recommendation from our District, we could
26 easily come to an agreement with the Americans on
27 this matter.

28 Q. You have said that these were recommend-
29 ations of the Federation for your District. Are these
30 recommendations from your District or from the Federation?



1 French

2 A. No, they appear in the brief.

3 Q. Recommendation No. 7 you mention
4 the Kingston channel.. You ask that the ships could
5 utilize the Kingston channel with other pilots.. Captain
6 Davis has spoken at length on this matter. Do you
7 have anything to add to what he said?

8 A. Last year in the middle of the season,
9 if I am correct, we received a notice from the Local
10 Superintendent forbidding all pilots to go through
11 the Kingston channel unless the boats were heading
12 towards Kingston or was coming from Kingston. Before
13 that the pilots had the choice and it was up to the
14 master to decide. When the captain wanted to go through
15 this channel, he could because the majority of the
16 masters recommended, and the officers in those little
17 boats recommended to the captain -- the majority of
18 the masters used to go through Kingston channel.
19 All boats used to do it formerly except for one or
20 two maybe because of their draught which had to go
21 through Cape Vincent but the huge majority, I would
22 say about 90 per cent, 95 per cent or more had to
23 go through the Kingston channel. They knew the
24 Kingston channel and they used to come in and out of
25 this channel and they wanted to go and they took it,
26 and several masters asked us to be able to go through
27 the Kingston channel.

28 Certain masters after a while said that
29 when the bad weather arrived it's easier to go through
30 the Kingston channel because when the pilot lands at



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Bissonnette, dir. ex.
(Lalonde)

11311

1 French

2 Kingston, he is taken directly ashore in Lake Ontario.

3 This is direct way, whereas through Cape Vincent he
4 has three trips to make before he gets there and since
5 there is a lot of traffic and since they are overtaking
6 boats, and boats crossing each other, the masters
7 prefer to go through the Kingston channel and you have
8 to consider the heavy wind from north or northwest.

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10 -----
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/TT/RPS

1 French

2 A. And not supposed to go through
3 Kingston in order to prevent the bad weather in the
4 way.

5 Q. Recommendation No. 8. You say that
6 all vessels exempt from compulsory pilotage be required
7 to take a pilot aboard at the time of the first
8 voyage in the District. I examined this together
9 with the recommendation form. It is clear that you
10 involve the boats which would be exempted at present
11 in the District of Montreal, for instance. Do you
12 have any comments concerning this recommendation?

13 A. I think that it is up to the master
14 of the boat to decide.

15 Q. What do you mean?

16 A. I think a master who has never been
17 on a trip in that area should take a pilot at least
18 during the first two trips because you have to go through
19 the lock. It has been these little boats have not
20 enough knowledge of the area. Sometimes we are called
21 and asked where they should go and how they should
22 go and so forth. This is in the way of good dispatching.

23 If the pilots took a boat for the first
24 two trips they would have a better chance of knowing
25 the District. There are very many locks to go through
26 and it would give them an idea of these points to which
27 they must go to cross the locks.

28 Very often they do not know the currents
29 and therefore I think it would give them a very much
30 better experience if they had a pilot on board. This is



1 French
2 from a safety point of view.

3 Q. You have added two recommendations.
4 Recommendation No. 9 is that there should be two
5 pilots on board on the tugboats when towing boats,
6 which are the arguments in favour of these arguments,
7 rather which are the reasons? First of all, in
8 actual practice do the tugboats with tow have two
9 pilots or just one?

10 A. There is no regulation in our
11 District that they should take two pilots. Therefore
12 they only take one pilot. When a pilot embarks on
13 a tug and tow, the speed is not very great. It is
14 four to five miles per hour in average. Therefore,
15 it takes between 20 and 30 hours for one trip with
16 pilot. It should be good to have somebody to take
17 care occasionally, and the pilot could work more
18 efficiently.

19 In the majority of cases there is only
20 one pilot. Therefore the pilot, the majority of the
21 time, is on the foredeck and one which is on the back
22 does manoeuvres which is a nuisance to the one in the
23 front. Therefore, they should be able to communicate
24 and know what to do. If there was a pilot aboard
25 all the time, it would be much easier.

26 Q. Recommendation No. 10. Two pilots
27 should be put on board after the 1st December each
28 year. Which are the reasons behind this recommendation?

29 A. First of all, it is something which
30 is in our District, and not in 1959, which was abolished



1 French.
2 in 1960 if I remember correctly. I think at that time
3 of the year since December 1st, due to the snow and ice
4 and fog and so on and so forth, two pilots I think are
5 better than one on board ship, because one pilot could
6 be helped by the other in case of difficulty.

7 After December 1st all the boats are in a
8 hurry and want to get away as quickly as possible. It
9 is the last chance and they do not want to be stopped.
10 In case of bad weather, with two pilots they probably
11 could proceed instead of having to stop. A pilot alone,
12 he has got to stop the boat and wait which, of course,
13 is a handicap to good traffic particularly as regards
14 the crossing of the locks.

15 After the 1st December the majority of
16 cases, you can't load on quays because there is ice and
17 snow on the waters and one pilot takes the wheel and
18 one pilot could give orders from the bridge. In most
19 cases to try not to have to stop on the approach wall.

20 Q. From that time you say it is difficult
21 to have the crew going on the walls?

22 A. Yes. The master asks us to slow
23 down and not to anchor near the approach wall because
24 there is snow and ice and it is very dangerous for
25 the members of the crew.

26 MR. LALONDE: Thank you.

27

English 28

CROSS-EXAMINATION BY MR. MASON:

29

30

Q. In connection with the first recommend-



1 English
2 ation, pilot, you referred to difficulties which you had
3 encountered in the use of linesmen. Now, would I be
4 correct in saying that the majority of these difficulties
5 that you have encountered, if not all of them, would be
6 in connection with the operation of ocean-type vessels?

7 A. Yes. But, in a few occasions, say
8 you are in a lock and there is a big laker coming down
9 to tie up to the wall, and if there is a little breeze
10 and wind opposite to the wall, well they can get the
11 bow against the wall and they can swing two men out.
12 By the time they back the ship and by the time one of
13 the men runs back to catch the line, the stern of the
14 ship is turned in sometimes more feet of the wall and
15 they have a hard time to throw a ^{heaving} line on the dock.
16 We have to remain in the lock until the ship comes
17 alongside. Sometimes it is 15 or 20 minutes before
18 the ship can be alongside.

19 Q. Your contention would be that it would
20 be a saving of time more than anything else?

21 A. I think it would be safer for the
22 man too. The man who has to swing out, he is taking a
23 chance.

24 Q. In your experience with lake vessels
25 prior to becoming a pilot, are you aware of any accidents
26 or did you encounter any accidents?

27 A. It did happen on the ship I was on.
28 When we were swinging a man out on some --- it happened
29 once that one man fell between the ship and the wall
30 because the ship was not close enough. We couldn't put



1 English
2 him on the wall. We had to hang a line. After so long
3 he couldn't hold on and he let go. The rope with which
4 you can lower the man down was wet and the man who
5 happened to lower the man let go of the line and the man
6 dropped on the wall. The man had already been over the
7 wall and there was no major accident but the man got
8 hurt though.

9 On some other occasion, the man that swings
10 out, he has greasy hands and is nervous or something
11 like that. And sometimes he lets go and he just catch
12 on at the last minute and the line is not over the dock
13 and has to grab the dock to get on the dock.

14 Q. What vessel was this on?

15 A. All the ship I was on. The MEAFORD --
16 it happened on the MEAFORD and HASTINGS.

17 Q. These lines did not have a small board
18 for the man to sit on?

19 A. Yes, they do. They have one of those
20 but most of the time the man was not sitting on the
21 board.

22 Q. Wasn't using the apparatus correctly?

23 A. That is it.

24 Q. In connection with your fourth
25 recommendation, you mentioned that you have no
26 objection to there existing two systems of pilotage.
27 I did not quite understand that. I wonder if you
28 can explain.

29 A. The two systems of pilotage? I said
30 there were two systems previously, but that system is on



1 English
2 its way to be abolished because only two from special
3 pilots licensed by the Government.

4 Q. These two systems are two contract
5 pilots?

6 A. Special pilots.

7 MR. MASON: Thank you.

8

9 CROSS-EXAMINATION BY MR. BRISSET:

French

10 (THROUGH THE INTERPRETER.)

11

12 Q. Mr. Bissonnette, Would you like to
13 have before you the regulations of your Corporation
14 and also the charter Exhibit 848?

15 MR. LALONDE: At this point I have no
16 objection to that. The Secretary-Treasurer will
17 also have to bear with the witness to explain the
18 regulations. I have no objection. This is for the
B2 19 information of my colleagues.

20 Q. You have told us, Mr. Bissonnette,
21 that the Corporation of the pilots of the Upper
22 St. Lawrence was set up upon the request of all those
23 who had signed the request for incorporation. Would
24 you like to tell me how many pilots had signed this
25 request for incorporation?

26 A. 24, I believe.

27 Q. In dealing with the Corporation of
28 the Upper St. Lawrence?

29 A. Yes.

30 Q. Therefore it involved the 24 pilots



1 French

2 who were working in the District at that time?

3 A. Yes.

4 Q. Were these 24 pilots already members
5 of the Maritime before?

6 A. They were the members of this
7 Corporation. They were members of the Kingston-Ottawa
8 Corporation before.

9 Q. The members of the Corporation of
10 Pilots, St. Lawrence Kingston. Would you like to explain
11 to me in what way the proxy which was mentioned by
12 Mr. Edwards during his witnessing, how this business
13 of the Power of Attorney has been settled? I deal
14 with the Power of Attorney which was given to the
15 Transport Department to authorize the Department to
16 pay the piloting rights rather to the Corporation rather
17 than to the pilots themselves?

18 A. I think the new Corporation, the
19 new Power of Attorney which had been issued by the
20 Corporation of Upper St. Lawrence, when we send it
21 we belong to it and the Department was authorized to
22 collect the pilotage dues.

23 Q. Do you have a copy of this system
24 of Power of Attorney which was signed at this time?

25 MR. LALONDE: The Secretary-Treasurer of
26 the Corporation will file this document later on.

27 Q. Mr. Bissonnette, you tell us that
28 24 pilots have signed this request for incorporation
29 in your District, leaving aside the three pilots from
30 the Lakes when they have 21 pilots. Would you like to



1 French

2 tell me what happened to the three members who are
3 no longer members of your Corporation now?

4 A. When the two Districts were separated
5 in Cornwall, I think an agreement was reached with the
6 Department whereby as there would be vacancies in the
7 Cornwall District, the pilot would be given a choice
8 to come back to the Cornwall District. I think three
9 vacancies and three pilots accepted to come and work
10 in the Cornwall District.

11 Q. How about the resignation of these
12 three pilots as members of your Corporation?

13 A. I think that on the request for
14 admission or for addition, it is explained very clearly
15 that if a pilot were to be transferred from one District
16 to another he would automatically be cancelled in the
17 District he was to leave and would automatically be
18 a member of the Corporation of the other District.

19 Q. In other words the pilots who resign
20 from your Corporation did not have a choice to decide
21 whether or not they would become members of the
22 Corporation of the pilots of the Seaway when they
23 became members automatically?

24 A. Yes. Anyway, they were quite pleased
25 to become members. When they had signed the request
26 in addition it was specified if they want to change
27 from one District to another they would automatically
28 become members of the new District.

29 Q. From what you just explained to us,
30 may I understand that the situation is probably the same



1 French

2 as regards you 24 members who formerly were members
3 of the St. Lawrence Canadian Corporation? In other
4 words there was no choice open to them other than
5 becoming members of your Corporation?

6 A. Also -- no, it is not the case.

7 Q. Would you like to refer to Article 4
8 of the Regulations of the Corporation of the Upper
9 St. Lawrence Pilots, Exhibit 848. Article 4 of the
10 Regulations deals with active members and states that
11 they are active members of the Corporation, the persons
12 mentioned in the Corporation letters. It is true, isn't
13 it, that the persons who are mentioned in the Corporation
14 patent letters are Mr. Marchileau, Mr. Guy St. Marseille,
15 Mr. Conrad Hamelin and yourself?

16 A. I think there has been an amendment
17 to this Regulation, Regulation No. 3 amended Regulation
18 No. 1. There is five people on behalf of all the
19 other members because five members had to present a
20 request for Corporation legally speaking. Therefore,
21 a sub-Committee was set up and five members presented
22 it, on behalf of the Corporation. All the other
23 signatures followed.

24 Q. Am I to understand in sub-paragraph B
25 of Article 4 all the others signed the request for
26 membership before the 60 days following the date of
27 the issuing of the patent letters?

28 A. That is so.

29 Q. Your Secretary has the file and the
30 names of the members who have signed together with the



1 French

2 dates?

3 A. Yes.

4 MR. LALONDE: Your lordship, in order to
5 fill in explanations in this respect, I would like to
6 refer to Regulation No. 3 as I did yesterday which
7 provided for the 24 members who had signed this
8 Convention Memorandum. I have this Memorandum here
9 if my colleagues want to read it. It is dated June
10 11th, 1961. I am sorry, 28th June, 1961, and signed
11 by the 24 members. Would my colleague like to read
12 it?

13 THE CHAIRMAN: If Mr. Brisset would like
14 to read it he can adjourn the witnessing of Mr. Bissonn-
15 ette on this matter and carry on this particular point
16 when the Treasury has been heard.

17 Q. In the list of pilots who were
18 working on October 21st, 1963, Exhibit 831, I note
19 the names of three pilots who work on the Ontario Lake.
20 Are they today members of this Corporation?

21 A. No. They have put in an application
22 for membership.

23 Q. I note in sub-paragraph D of paragraph
24 4 that any apprentice member who is granted a pilot's
25 licence for the District and the Board of Directors
26 admit him as an active member after issuing the
27 aforesaid pilot's licence without any other membership
28 request accepted from the candidate. Any of these
29 members can become an active member. Do the pilots
30 working fall within this category?



1 French

2 A. Yes.

3 Q. In the case of pilots, if admitted
4 by your Board of Directors, would not have to sign the
5 request for membership and they probably have to sign
6 such a request just to save time to sign the Power
7 of Attorney?

8 A. That is it.

9 Q. The members who would be admitted
10 in here are referring to the pilots who perform their
11 duties on locks and those who would be admitted members
12 of the Corporation. Do those members participate as
13 sharing in a common pool?

14 A. I don't think so. Only at the time
15 that they become pilots.

16 Q. At the present time the pilots, who
17 are on duty on Lake Ontario, do not take part in any
18 way in the common pool?

19 A. No.

20 Q. Do they take part in the administration
21 expense of the Corporation?

22 A. No.

23 Q. Do you think that the \$50 which is
24 paid to them on a daily basis, whenever they perform
25 the work on Lake Ontario, is entirely theirs? Do they
26 keep this \$50 entirely?

27 A. No.

28 Q. What occurs to this \$50 which is paid
29 to them on a daily basis?

30 A. This is hearsay on the part of pilots.



1 French

2 I think there has been a charge of 10 per cent which is
3 taken from their whole amount. I think it is 10 per
4 cent, but I couldn't tell you exactly.

5 Q. There is no charge made by the
6 Corporation against the income?

7 A. No.

8 Q. When you mention hearsay, how did you
9 learn about that?

10 A. Well, the pilots of Lake Ontario at
11 the beginning of the navigation season were not too
12 sure about the way which the expense would be charged.
13 A few American pilots had led them to understand there
14 would be a charge of 10 per cent taken from their income,
15 and ever since that I did not hear about it further.

16 Q. In paragraph 5 of your By-Law
17 mentioned is made of the apprentice members. Do you
18 have any apprentice members within the Corporation?

19 A. No.

20 Q. Paragraph 6 talks about honorary members.
21 Do you have any honorary members at the present time?

22 A. No.

23 Q. Paragraph 7 or Article 7, if you want
24 to refer to it, sub-paragraph B reads as follows:

25 Any person who goes back on duty in
26 the field of pilotage after having abandoned
27 pilotage under conditions mentioned in
28 paragraph A of this Article becomes an
29 active member without any special request
30 on his part through a resolution of the Board

B3



1 of Directors.

2 Does that mean, Mr. Bissonnette, that the
3 pilot who would like to use this scheme of ceasing
4 his pilotage activities for a while in order to
5 withdraw from the Corporation could not succeed in
6 doing so if the Board of Directors decided to keep
7 him as a member of the Corporation? Is that the
8 practice of that Article?

9 A. I couldn't tell you if it was the
10 aim of that particular Article. I don't think there
11 are any pilots in our District who entertain such
12 ideas.

13 Q. They are all good fellows?

14 A. Yes.

15 Q. In other words, there are no
16 dissidents in your District?

17 A. No. We are all unanimous.

18 Q. Mr. Bissonnette, on many occasions
19 in your By-Laws mention is made about dues payable
20 by the members of the Corporation. For example, in
21 Section 11 on page 5, it is stated that only the
22 members of the Corporation who have not been in default
23 for more than six months in payment of their dues may
24 occupy the function of administrator.

25 In Section 47, it is mentioned that the gen-
26 eral annual meeting may assess its members of the corpor-
27 ation of any annual dues or special dues which the meeting
28 may judge desirable that might be necessary and the meeting
29 may establish the payment procedure.

30 Would you please explain how the dues system
works within your corporation?



C/MR/RPS

1 French

2 Well the only system of dues recommended
3 in our District no longer exists to do it. We had
4 a dues system which included the pilots which had
5 become members in 1959 and at that time the Corporation
6 had special dues for all new members and the same thing
7 is for the Corporation St. Lawrence Kingston-Ottawa.
8 When we divided ourselves, we established our own
9 Corporation and there were already four members who
10 had paid only half of their dues so we changed the
11 By-Laws stating that these members should go on and
12 pay their dues to the Corporation of the Upper St.
13 Lawrence so these four members have finished paying
14 their dues and so far as Article 47 is concerned, it
15 is only in the case of extraordinary expenses that
16 there would be additional dues assessed, but I never
17 saw any dues which has been asked for from members at
18 the end of the year.

19 Q. In other words, you are telling me
20 that ever since the setting up of the Corporation in
21 August 1961 no special dues were assessed to the members?

22 A. For the Corporation?

23 Q. Yes?

24 A. No.

25 Q. Now in By-Law No. 2, Section 13,
26 an entrance due or initiation due is provided in the case
27 of the Corporation of the Seaway Pilots, an entrance
28 or initiation due of \$1,500 payable in five payments
29 of \$300 each a year. Was this initiation fee imposed
30 to either one or more members of your Corporation?



1 French

2 A. No, because we did not have any new
3 members ever since the setting up of the Corporation.

4 MR. LALONDE: I think there is a misunder-
5 standing with regard to the question my colleague is
6 asking; the question regarding the Corporation of the
7 St. Lawrence Seaway Pilots regarding initiation fees
8 of \$1,500, because this Section 13 of By-Law No. 2
9 talks about an entrance due payable, of \$500 payable
10 at the rate of \$250 during the year.

11 THE CHAIRMAN: Well I think the \$1,500 is
12 required from any new member who will become a member
13 of the Corporation after October 1st, 1961 payable
14 in five payments of \$300 each.

15 Q. So the answer is that there was
16 no entrance fee paid by new members because there was
17 no new members ever since October 1st 1961?

18 A. That is correct.

19 Q. If I understand you properly, I
20 understand that the members of the Corporation of the
21 Seaway Pilots who have been transitting in your District,
22 have paid the balance of their entrance dues, or their
23 initiation dues to your Corporation, this initiation
24 due which they were owing to the Corporation of the
25 Seaway Pilots?

26 A. Yes, that is correct. There was
27 a balance of \$500 which they owned the Seaway pilots and
28 when the Upper St. Lawrence Corporation was established,
29 the pilots all agreed that the balance of the dues of
30 these pilots should be paid to the Corporation of the Upper



1 French

2 St. Lawrence Pilots and there was a balance of \$500.

3 At that time it has been decided that the four pilots
4 should pay \$250 per year to the Corporation of the
5 Upper St. Lawrence Pilots so this \$500 was paid in
6 two payments.

7 Q. So this is a total of \$2,000?

8 A. No, \$1,500 because they already had
9 paid \$1,000 to the Kingston St. Lawrence Ottawa Corpor-
10 ation so when we established the Upper St. Lawrence
11 Corporation they still had a balance of \$500 to pay.

12 Q. There were four, which adds up to
13 \$2,000?

14 A. Well I understand you properly now.
15 I thought that you meant \$2,000 per pilot.

16 Q. Mr. Bissonnette, you have explained
17 at length the way in which you eventually became a
18 pilot. You told us that you started as an ordinary
19 seaman in order to become later on a 1st mate and
20 aside from your watch as a 1st mate you were undertaking
21 piloting. Would it be correct to say that you have
22 acquired your experience and everything you learned
23 at that time from the captains under whose jurisdiction
24 you were at the time?

25 A. Yes.

26 Q. In other words, the masters on ships
27 on board which you were working were teaching you what
28 they already knew themselves?

29 A. Yes, that is correct, but we had
30 to do quite a few hours more time.



1 French

2 Q. In other words, you had, if you desired
3 to reach a certain goal to do this because it is not
4 every seaman who becomes a pilot.

5 A. Well yes, there are many when their
6 watch is over they are not interested in staying up,
7 of course, an additional seven or eight hours in order
8 to learn something further.

9 Q. There are those who are seamen who
10 will never have the talent or the capacity to become a
11 1st mate or a pilot?

12 A. Well perhaps they would have the
13 talent if only they would try to use that talent.

14 Q. It is correct to say, after having
15 heard your evidence of yesterday and today, that all
16 the experience that you have acquired in the years you
17 were working on board lakers was in the capacity of
18 manoeuvring vessels and a thorough knowledge of the
19 River?

20 A. Yes, that is correct.

21 Q. And this is what you need in order
22 to become a good pilot?

23 A. Well it looks like it.

24 Q. So everybody here is in agreement
25 that you are an excellent pilot. Is it not a fact that
26 the 21 other pilots of your District learned exactly
27 in the same way as you did?

28 A. That is correct.

29 Q. Is it true that the majority of the
30 other pilots, including yourself, in the District of the



1 French

2 Upper St. Lawrence have certificates either as mates
3 or as 1st mates?

4 A. Yes.

5 Q. One of them, I believe, has a
6 certificate which is below that of master or 1st mate
7 in the aforesaid waters?

8 A. That is so.

9 Q. Did you get from the Department a
10 pilot's licence before the licence which was granted
11 to you when the District was set up?

12 A. No.

13 Q. When you were piloting on the lakers,
14 you did not have a pilot's licence then?

15 A. No.

16 Q. Amongst the members of your
17 Corporation, and pilots of your District, are there
18 any who had a pilot's licence before they became pilots
19 for the District in 1961?

20 A. Yes, I think that there were a few
21 masters who have had their licence since 1954.

22 Q. It seems that at that time several
23 pilot licences were issued?

24 A. So I heard.

25 Q. So this qualified those masters or
26 those mates so that they could become pilots in the waters
27 of your District. Is that so?

28 A. Yes, and it was done by their
29 companies. I think the companies had to provide a
30 reference letter to prove that such and such a master



1 French

2 had done so many trips and that no serious accidents
3 had taken place. I don't remember exactly how it was
4 worded.

5 Q. There was also an examination?

6 A. Yes, but I don't think it was a very
7 hard examination.

8 Q. You told us that during your training
9 period, if I may say so, although you were both a master
10 and pilot, but during this period you had an average of
11 90 to 100 trips through the waters of your District and
12 at that time that included the passage from Montreal
13 to Kingston?

14 A. Yes.

15 Q. Today, that is to say last year and
16 this year how many trips did you do? How many transits
17 did you do?

18 A. Last year I think the number was 95
19 or 96 and this year I believe that I have done 60 only;
20 a bit delayed by the Royal Commission.

21 MR. LALONDE: What is the average number of
22 trips made by the pilots who stayed there and who did
23 not have to come to the Royal Commission?

24 Q. Let us leave aside this year as being
25 a bit special and let us turn back to last year, which
26 was a normal year for you. You say that last year you
27 did about 95 trips, that is from Cornwall to Kingston,
28 is that so?

29 A. It is correct. I think the average
30 for the pilots who were working continually was 96. I



1 French

2 think that I ended up with 98.5. I was working
3 continually since I became a pilot with the exception
4 of this year.

5 Q. To talk in terms of round figures and
6 to establish a comparison with your workload, when you
7 were a first mate you were doing more or less half of
8 what you were doing at that time without, of course,
9 counting your four hours on watch?

10 A. Doing half of the trips?

11 Q. Yes, because when you were the 1st
12 officer you did ninety to a hundred trips from Montreal
13 -Kingston and now you are doing 95 trips from Cornwall
14 to Kingston, which is about half the distance?

15 A. This is correct.

16 Q. Do you consider at present your work-
17 load as being a reasonable workload for a pilot without
18 having to suffer?

19 A. I think this year is a very reasonable
20 year.

21 Q. As regards the workload, you have
22 underlined for us that in the course of the first year,
23 after the division of the District, the fact that there
24 were 24 pilots in your District meant that four pilots
25 were not doing anything at one given time during the
26 season and that this, of course, brought about a decrease
27 in your income.

28 Q. That is exact.

29 Q. To supplement your answer, is it not
30 true to say that this too brought about a decrease in your



1 French

2 workload?

3 A. Yes.

4 Q. In other words, it gave you an opport-
5 unity of having a fortnight holiday?

6 A. Yes, but not a paid holiday.

7 Q. But you participated in the common
8 fund like everybody else?

9 A. Yes.

10 Q. You explained to us that all the
11 pilots in your District had refused the offer from the
12 Transport Minister to become civil servants, so to speak,
13 and this was during a meeting which took place between
14 the Minister and other members of his Department and
15 yourself but you have not told us for what reason the
16 pilots turned down this offer. Could you give us
17 these reasons?

18 A. I think that at the time the pilots
19 were not at all interested in becoming civil servants
20 or Government employees because we had the example
21 of District No. 2.

22 Q. You say you have a good example of
23 District No. 2. Would you like to explain what you mean
24 by that? Why did you say that that example would
25 not prompt you to accept the agreement because I think
26 you have mentioned there is an example of District No.
27 2. That was in a derogatory sense wasn't it?

28 A. In District No. 2 we had an example
29 -- you know there is a great difference between a pilot
30 who is free and a pilot who is a Government employee



1 French

2 because a pilot who is free has to give the best of his
3 service, whereas, a pilot who is a Government employee
4 knows that he is paid so much per day. He can take
5 two or three days to do his trip and I think as regards
6 the service, the service would be less efficient because
7 it is always the same who do the hard work.

8 Q. This is a fact which you have noted
9 and different pilots in your District have noted as
10 regards the service given by the pilots who are civil
11 servants and who are used in District No. 2?

12 A. Yes. Any Government employee who
13 gives other service than the service which we give to
14 the boats may be civil servants but I think that in
15 our particular trade, in our particular job, 24 hours
16 a day I don't think it is a good thing we should become
17 civil servants.

18 Q. Am I to understand from this that
19 in your mind the civil servant lacks ambition?

20 A. No. I am referring to the difference
21 between a navigator and somebody on shore. The pilot
22 has to be on the stand 24 hours out of 24; if anything
23 happens. There is a great difference between a pilot
24 and people who work on ground. It is very difficult,
25 I think, to have pilots become civil servants.

26 Q. In other words, if I may say so,
27 the civil servants who would be a pilot would not have
28 the same incentive, the same things which would excite
29 him to do his best?

30 A. I have doubts. There may exist such



1 French
2 persons. It may happen. We have had an example, the
3 first year paid by trip and paid by day. When the pilots
4 were paid by the day, it reminded us of the Civil
5 Service system. Some pilots took a long time over the
6 trips. Some pilots in the District seemed to take
7 quite a long time with the trip. They were not in any
8 hurry because they knew if they took two or three
9 days for their trip, they would be paid all that time and
10 we realized that it was a good thing to be paid per
11 trip rather than per day because the trip would then
12 be carried out as quickly as possible.

13 Q. Captain Davis who was here before you
14 told us that the pilots in service in your District
15 were not in favour of doing trips on Lake Ontario.

16 A. That is correct.

17 Q. Talking on behalf of the Corporation
18 and not on your own behalf, do you agree?

19 A. Not only myself, but all pilots agree
20 that this is true. As I explained yesterday, in the
21 first year on several occasions there were ten or twelve
22 pilots travelling on Lake Ontario which, of course,
23 diminished their trade in the District and when traffic
24 became rather dense, pilots have had to get out on a
25 boat upstream, and go on another boat downstream, and
26 so forth.

27 Q. And a qualified pilot like you who
28 is on board a ship to go through Lake Ontario has to
29 do what? Has he got anything to do?

30 A. Yes, I think he has got something to do.



1 French

2 Q. Would you like to explain?

3 A. From Cape Vincent to Point Petre
4 on Lake Ontario the pilot stays on the bridge, and he
5 stands upon the bridge and most boats it is the mate
6 who carries out the sailing but we indicate to him the
7 various courses to be followed.

8 Q. To go out of the River you have two
9 miles before you are actually in the waters of Lake
10 Ontario?

11 A. More or less, yes. One and a half
12 miles to two miles.

13 Q. What is the width of the passage at
14 that place?

15 A. About three-quarters of a mile more
16 or less. From half a mile to three-quarters of a mile.

17 Q. Then you get into Lake Ontario proper?

18 A. Yes.

19 Q. How many courses do you have to make
20 to get there?

21 A. Seven courses.

22 Q. What is the distance?

23 A. 155 miles I believe.

24 Q. On these courses you are always in
25 the open waters of Lake Ontario. There are no islands?

26 A. That is so. The mouth of the River
27 we have five miles to go through to get to Charity
28 Shoal, which is about half a mile further. It's a shoal
29 with a good light, and then from Charity Shoal we have
30 a course to Mainduck Shoal, a shoal a half, mile and a



1 French
2 half off the island, and then Psyche Shoal and we are
3 half a mile off that one and then we have a course
4 of 21 miles from Psyche Shoal to Point Petre and we
5 are three miles off this point and then a hundred
6 mile course from Point Petre to Niagara buoy, and then
7 a course from Niagara buoy to Fairway buoy at Port
8 Weller and then another course, the last one to go
9 back.

10 Q. All these courses are indicated on
11 the map?

12 A. Yes, that is correct.

13 Q. Do you think that a master or a mate
14 who has sailed all over the world in each and every
15 ocean and river of the world is qualified to do these
16 courses?

17 A. Well he may be qualified, especially
18 starting from Point Petre to Niagara buoy because the
19 width is about 50 miles so naturally any seaman can
20 certainly negotiate that course.

21 Q. Now when a pilot is hired to perform
22 his duty through Lake Ontario and go to the harbours
23 of Lake Ontario like Hamilton, Oshawa or Toronto, is it
24 not a fact that in many cases the pilot stays on board
25 for a day or two days?

26 A. This I couldn't tell you. Well
27 perhaps the Lake Ontario pilots do so but pilots of
28 District No. 1, as soon as we get to Toronto Harbour
29 or Port Weller we report to the pilotage office and
30 most of the time we take the best transportation means to



1 French

2 get back to our District.

3 Q. I am not talking about the pilots on
4 duty in your District but I am talking simply about those
5 who perform their duties exclusively on Lake Ontario.

6 A. I couldn't tell you how long they
7 stay on board these ships. I know that they perform
8 many little trips between Toronto, Hamilton; Toronto
9 Port Weller; Hamilton Port Weller; but the length of
10 time of their stay on the vessel, I couldn't tell you.

11 Q. You know that in the Hamilton Harbour
12 and Toronto Harbour, for example, there are special
13 pilots who upon the request of the pilots will pilot
14 his vessel in these two harbours?

15 A. That is correct.

16 Q. When you travel between Toronto and
17 Hamilton are there any special problems?

18 A. When you travel between Toronto and
19 Hamilton this is more or less a direct course for three
20 or four miles off the coast, I believe.

21 Q. In other words, you don't need to be
22 an expert in order to negotiate that course?

23 A. I don't think so but perhaps under the
24 stress of weather, perhaps it would be a different
25 story but in good weather, well it is easy enough.

26 Q. Perhaps you could sort of take a recess
27 now, because I want to go on to the recommendations
28 afterwards.

29
30 ---A SHORT RECESS.



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---FOLLOWING THE SHORT RECESS:

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CONTINUATION OF CROSS-EXAMINATION BY MR. BRISSET:

4

Q. Mr. Bissonnette, regarding the
issuance of what is called in English the licence?

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A. Yes.

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Q. Do you know if these licences will
be issued if the mate concerned accomplished two trips,
for example, through Lake Ontario?

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A. That is correct.

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Q. If he passes an examination indicating
that he has a full knowledge of the rules of the road?

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A. Yes. Two trips. One must be more
precise. Two round trips.

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Q. You told us that the pilots in your
District, who do pilotage from Cornwall to Kingston,
do not favour doing every trip through the Lake. Would
it be better to go further and recommend -- and here
I am asking for your opinion on behalf of the Corpor-
ation of your District -- that this requirement be
abolished?

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A. No. I do not think I would go so
far as to say that. I have established there are a
certain number of accidents took place on the Great
Lakes. I think one mate of these vessels should accomp-
lish at least two trips on the Lakes in order to get
to know the water and terrain as well as the regulations
before going to the Lake proper.

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Q. Going further with argument regarding
licences to the ships' masters or mates, do you think that



1 French

2 the captain or a mate should not receive a certificate
3 indicating that he is competent to navigate anywhere
4 throughout the world before having performed three trips
5 in all the waters of the world in order to get to know
6 these waters?

7 A. I think throughout the world today
8 pilotage is compulsory everywhere in the pilotage waters.

9 Q. You mean in the restricted waters
10 where the waters are narrow?

11 A. That is correct.

12 Q. But not in the high seas?

13 A. No.

14 Q. Not in the narrow seas as the
15 Mediterranean or Baltic Seas?

16 A. I don't think so.

17 Q. If a ship's master or a master who
18 passed an examination indicating that he has a full
19 knowledge of the route regulations applying on the
20 Great Lakes and if he would be ready with charts put
21 to his disposal, don't you think such an officer would
22 be in a position for negotiating a course that you have
23 described in order to go through the Lake?

24 A. Perhaps in practice he would qualify,
25 but practically speaking he would not.

26 Q. What do you mean "in practice"?

27 A. In practice -- what happens in Lake
28 Ontario, because sometimes of the stress of weather
29 there are many security calls which are made and there
30 are many vessels -- many of them have trouble answering



1 French

2 in English or talking with other ships so some of these
3 ships have a radio operator who may help them out. In
4 other cases in other stress of weather, if an officer
5 accomplished two trips in varied courses and entrance
6 to harbours, I think he would be far better than a
7 man who could pass a theoretical examination but never
8 acquired this experience.

9 Q. You are aware that any vessel going
10 on the Great Lakes must have on board a qualified mate
11 as a radio operator after having passed an examination?

12 A. I am aware of that.

13 Q. In other words, you criticize the
14 administration for issuing licences to persons not
15 qualified?

16 A. I don't know if due to lack of
17 staff or lack of number of radio operators, or in
18 75 per cent of the cases when you have to talk to a
19 dispatcher at a lock they have a great deal of trouble
20 to understand the dispatcher. Most of the time the
21 dispatcher asks the pilot to stay in order to give
22 necessary information.

23 Q. This is something that interests the
24 pilot directly because if there is a pilot on board
25 it is more convenient for the pilot to make calls
26 himself.

27 A. But in many cases the pilot is not
28 always in a position to answer the phone. Everything
29 depends on the radio-telephones. There are certain
30 radio-telephones which are quite far, either on one side



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2 of the bridge or the other. We must look after the ship's
3 bearing, and most of the time we are not in a position
4 to make the call ourselves. So, we ask either the
5 radio operator or one of the mates to place the call
6 on our behalf.

7 MR. JACQUES: Are you still talking about
8 navigation on the Great Lakes?

9 THE WITNESS: Yes. He asked me about the
10 radio business.

11 MR. JACQUES: Are you talking about the use
12 of the radio-telephone on the Great Lakes or pilotage
13 waters in the District?

14 THE WITNESS: I don't know what his question
15 is.

16 Q. In order to be more accurate, I would
17 like you to remember we are talking about the Lakes
18 themselves and we are not talking about River waters.
19 You will admit with me, Mr. Bissonnette, that the fact
20 you have performed two trips, for example, on Lake
21 Ontario will not change the location of the radio-
22 telephone on board the vessel?

23 A. I don't think so.

24 Q. Now, I would like to go on to the
25 different recommendations contained in the brief of
26 the Federation, the specific recommendations of the
27 Corporation of the Upper St. Lawrence Pilots. Regarding
28 the first recommendation, could you please tell us
29 what are the locks in your District with the exception
30 of Snell Lock?



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2 A. There are two other locks, Iroquois
3 Lock and Eisenhower Lock.

4 Q. Now, at Iroquois Lock and Eisenhower
5 Lock, do you have the opportunity of mooring or tying
6 at the approach wall?

7 A. Yes, quite frequently.

8 Q. Would you please give me an idea,
9 as in 50 per cent of the cases or less that you have to
10 tie to the approach wall?

11 A. Everything is dependent on the traffic
12 and the vessel we have to manoeuvre also.

13 Q. So, you are not in a position to give
14 me a definite answer?

15 A. It is difficult to give an accurate
16 answer because everything is dependent on the traffic
17 and the vessel. In many cases the dispatcher transmits
18 the order to either tie up or wait for a while. If
19 we cannot hold the vessel we have to go and tie at the
20 approach wall.

21 Q. If there was a stress of weather,
22 the local Authorities or the dispatcher would in these
23 instances give the service of linesmen who are sent
24 from the lock to the approach wall, is that a fact?

25 A. Yes, that is correct.

26 Q. Would the problem be more or less
27 if the same service was given at Iroquois Lock?

28 A. I must indicate here that at Eisenhower
29 Lock, if there is a great wind or if we have a big
30 vessel, which in many instances there is another vessel



1 French

2 in lockage, the answer then is as soon as they are
3 free with the other vessel they will be able to send
4 some linesmen. But many times it does not. So, that
5 is something we cannot rely upon too much.

6 Q. In those cases, can't you wait a
7 little before making your approach?

8 A. Everything is dependent on the weather.
9 If there is no wind and if the weather is nice we
10 may be able to wait, but in other cases we must have
11 enough speed to reach the approach wall.

12 Q. Do you think the same service could
13 be given at Iroquois?

14 A. No, because the authorities in the
15 Canadian Seaway refuse flatly to help us.

16 Q. Is the situation similar in Snell?

17 A. The Snell Lock is -- when they have
18 available linesmen they can send them to us if it is
19 not too late.

20 Q. Would you now turn to recommendation
21 No. 2 concerning the wheelsman. Captain Davis and
22 yourself have explained to us that when making an
23 approach to a wall you were compelled to be on the
24 bridge all the time.

25 A. It is correct. It depends on the
26 boat on which we are. Today's boats are becoming
27 bigger and bigger and the possibility is not as in
28 smaller ships. We can't stay under the roof. We have
29 to go on the bridge.

30 Q. Is it not true, Mr. Bissonnette, that



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2 in those cases either the master or the mate of the
3 ship will be himself on the bridge to do what is called
4 the spotting of ships on approach to the wall?

5 A. No sir.

6 Q. He will tell you the wall is 15 feet
7 away, 10 feet away, 5 feet away until time has come
8 for you.

9 A. The case happened in 1959, as the
10 wheelmen were not used in most cases, the pilot had
11 to hold the wheel himself and with the ocean-going
12 vessels which have gone up the Seaway they knew about
13 this and were used to this practice. The pilot was
14 at the wheel and the master would tell us what the
15 distance was between the boat and the wall.

16 Q. Did it work correctly?

17 A. Yes, generally speaking. But, sometimes
18 we were told there was five feet left but there was
19 two feet left. Therefore, we couldn't take this
20 information as being too accurate.

21 Q. You say this is no longer the practice
22 now?

23 A. No. Since opening the Seaway, I
24 have never seen any master doing it. In the majority
25 of cases, the master is on the bridge. In special
26 cases they may give us some information or warn us
27 if we have to go astern, that if we go astern it will
28 take 30 seconds to give us a spot. It is very rare.
29 They don't do it anymore.

30 Q. Before as a Corporation they prepared



1 French

2 this recommendation, did you carry out the study of
3 the economic problem involved, namely what would the
4 expense be to give to the ship's wheelsman, the employ-
5 ment as recommended by him?

6 A. I don't have a thorough study or
7 carried out from an economic point of view. Under the
8 circumstances, the pilots have the opinion that there
9 would be less accidents and less collisions if there
10 was a reliable wheelsman.

11 Q. Am I to understand from this economic
12 study that you have only calculated the value of
13 damages which should have been caused by the absence
14 of a wheelsman and the cost prices of this wheelsman
15 if they had been employed?

16 A. I don't think the difference has
17 been calculated or the facility to work of the pilot
18 and in order to avoid having too many damages. That
19 is what we had in mind.

20 Q. Could you give us some figures?

21 A. No, none.

22 Q. Are you aware of the fact that there
23 is an economic problem there?

24 A. Probably. It would be a supplementary
25 cost to the pilotage station, but I think this would be
26 much more efficient.

27 Q. In the light of the fact that it is
28 to help them in their work, if you have a wheelsman
29 on board would the pilots be ready to absorb the
30 supplementary expense of these wheelsmen?



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2 A. I don't think so.

3 Q. Have they thought about it? Have they
4 studied the advantages which they could derive from
5 this and the subsequent costs?

6 A. I don't think so. But, I think that
7 the pilots thought it would be of an advantage to
8 themselves and for the companies to have the wheelmen.

9 Q. In other words you take the defence
10 of the Shipowners here. You are thinking in terms of
11 their interest?

12 A. Their interest, but also the interest
13 of the pilots because if there is a lack of efficiency
14 on the part of the wheelman, the ship can be damaged,
15 and the pilots have to make reports. From the point
16 of view of safety of pilots and damages which could
17 be exempted from Shipowners and pilots.

18 Q. From the point of view of pilots you
19 are aware of the fact that the pilot has not any respon-
20 sibility in case of damages in Canadian waters within
21 the law of the Merchant Marine. It is limited to
22 \$300, this responsibility?

23 A. Yes, but there is also the question
24 of suspension. If a pilot is on board a ship with
25 considerable damage, his licence can be removed from
26 him.

27 Q. In 1961, since the Canada Shipping
28 Act was put into force, have there been any pilots
29 in your District who have been dismissed?

30 A. Not as far as I know.



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2 Q. Have some of them have to pay fines
3 for having accidents?

4 A. I think the Superintendent would have
5 been in a better position to answer that than myself.

6 Q. Are you ready to accept my declaration
7 to the effect that this did not happen, that consequently
8 your experience is a good one?

9 A. No comments.

10 Q. In spite of the lack of a wheelsman.
11 Now, Mr. Bissonnette, turn to recommendation No. 3
12 concerning the system of apprenticeship. Are you aware
13 of the regulations governing the pilots on the American
14 side? Do you know about the Great Lakes Pilotage
15 Regulations, Rules and Orders?

16 A. Not quite, not very much.

17 Q. Do you know very broadly that the
18 American administrator -- this is pilotage on the
19 Great Lakes -- is entitled to determine what will be
20 the standards to be adopted for the apprenticeship of
21 American pilots?

22 A. I think so.

23 Q. Do you think that under those
24 circumstances, whatever the system established on the
25 Canadian side or whatever the system proposed on the
26 Canadian side, there should be a co-ordination between
27 both systems?

28 A. This is what I suggested. I explained
29 there should be an agreement between both parties.

30 Q. Which means that you cannot have on



1 French

2 the American side a system of apprenticeship completely
3 different from the Canadian system?

4 A. No. The system should be identical
5 for both groups.

6 Q. Did your Corporation officially discuss
7 with the American pilots about this problem and about
8 the nature of the system of apprenticeship to be
9 recommended in your District?

10 A. We discussed about various apprentice-
11 ship systems. Because on the American side, the three
12 pilots which they have on Lake Ontario and our three
13 pilots can cover a rather long period before we think
14 about having the apprenticeship system established.
15 We thought when the six pilots on Lake Ontario, who
16 will be admitted in the District, before they are
17 admitted we thought it would be advisable to discuss
18 about apprenticeship system, but this was not done.

19 Q. Are you aware that on the American
20 side what seems to be most important, in order to become
21 a good pilot, is experience of the past years' experience
22 and in the manoeuvring of ships. Of course, one also
23 has to know the waters in the District, but the main
24 requirement is the ability to be able to manoeuvre.
25 This ability is to be acquired through years of
26 experience.

27 A. I can't answer that question. I am
28 not properly informed.

29 Q. Mr. Bissonnette, does your Corporation
30 participate or has it participated in the exchange of



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2 correspondence with the Minister of Transport? This
3 correspondence has the number Exhibit 807 and it includes
4 inter alia a proposal given by the pilots of the
5 Cornwall District as regards the standards for
6 apprenticeship.

7 A. The Cornwall ---

8 Q. Yes, I know about it.

9 MR. LALONDE: The question is, did you
10 participate or are you aware?

11 MR. BRISSET: Either or both.

12 A. I have heard about it but I have
13 not participated in it and I don't know which system
14 was recommended in the end.

15 Q. In your recommendation No. 3 you
16 say the Corporation of the Upper St. Lawrence Pilots
17 adopted in this regard, that is about the apprenticeship
18 system, the same as the Corporation of St. Lawrence
19 River and Seaway Pilots to the effect that an efficient
20 system of apprenticeship is the best means of training
21 qualified pilots. Having said this, are we to under-
22 stand that you advocate the same system of apprenticeship
23 as that which has been advocated by the pilots of
24 the Corporation of the St. Lawrence Seaway?

25 A. No sir. It all depends on the process
26 being accepted in this District. We have discussion
27 with pilots of the Seaway and we have some ideas what
28 they require for their District, but we do not know
29 this system which would be established in this District.
30 Therefore, the system which they asked for at that time



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2 was very likely a very good system.

3 Q. You don't know in detail?

4 A. Yes, I don't know the system which
5 would be established in this District.

6 Q. I think you have already told us that
7 all the pilots in your District are seamen who have
8 been on duty for years on board the lakers?

9 A. This is correct.

10 Q. Do you think that the same material,
11 the cogs and mechanism, can still supply good pilots?
D3 12 Let us assume the case of a master who has been
13 sailing on the Great Lakes for 20 years was attracted
14 by pilotage because of maybe easier conditions than
15 that of a master on board the ship. Don't you think
16 that the work and money which is bigger, would attract
17 him? Don't you think this could happen?

18 A. He would probably be a good pilot.
19 I do not think there would be many masters on lakes
20 who would be interested in joining the pilot group.

21 Q. In other words, the attraction which
22 existed apparently in 1959, for instance, no longer
23 exists?

24 A. I think lots of them have changed
25 their minds.

26 Q. They would like to become masters again
27 than become a pilot?

28 A. No. The masters who intended to
29 become pilots no longer do so. Change their minds.

30 Q. For what reasons?



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2 A. Well, when they have reached a certain
3 age, a master who changes his boat every day, works
4 at regular hours, and who has to board any boat
5 whatsoever, he finds it difficult because he is used
6 to working on one particular boat with one particular
7 crew and the work is quite easy. If you step on board
8 a ship which you have never seen before and you have
9 difficulty making yourself understood with the crew
10 and so on and so forth, that makes you change your
11 mind. That has happened.

12 Q. The life of a master on board ship
13 on the Lake is an easy life?

14 A. I wouldn't say a more easy life but
15 a more regular type of life.

16 Q. Mr. Bissonnette, the pilots in your
17 Corporation, were they involved more or less in the
18 stoppage of work in 1962?

19 A. Yes, I think up to a certain point.

20 Q. Could you explain to me what was
21 the participation of your Corporation about this stoppage
22 in work?

23 A. As the Corporation of the Upper
24 St. Lawrence had already presented recommendations to
25 the Department, and that was the case in all Districts.
26 Following a general meeting of all pilots it was
27 decided unanimously that the Corporation of the Upper
28 St. Lawrence should join the other Corporation and
29 support them about their request.

30 Q. Did your administrative office



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2 participate in the general meetings which took place
3 at that time, either in Montreal or Three Rivers?

4 Who are the members of your Corporation who attended
5 these assemblies? Was it only the Board of Directors
6 or the pilots?

7 A. All the pilots with three exceptions
8 because I think the first day of the assembly in
9 Three Rivers we were supposed to meet the authorities
10 in Cape Vincent. Mr. Meschter met the two pilots to
11 establish a pilot station off Cape Vincent and we were
12 asked to send representatives. Three of our pilots
13 were delegated to go to Cape Vincent to take note of
14 the proposals made by Mr. Meschter for the establishment
15 of the Cape Vincent office, and all the other pilots
16 were attending this general meeting.

17 Q. As regards the Canadian point of
18 view, the Canadian problem and your difficulties with
19 the Transport Department, what were the questions and
20 dispute at that time about your subscription?

21 A. The first one was to have a permanent
22 licence, the second was to take the necessary steps
23 we could sail on Lake Ontario, and then we had the
24 question of fees per trip rather than per day. I
25 think there were other recommendations but the previous
26 ones were the three main ones.

27 Q. Did this grievance give rise to
28 extended correspondence or was this before the stoppage
29 of work in 1962?

30 A. Yes.



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2 Q. And what point had the negotiations
3 reached in the month of April, that is April 6th, I
4 think in 1962 when this stoppage of work took place?

5 A. Well I think that none of our
6 recommendations had been accepted or discussed but
7 as I was not President at that time, I couldn't give
8 you all the details about it but I think that the
9 correspondence which has been exchanged between the
10 two could be certainly filed later on by the Secretary.
11 At any rate we have all the correspondence on that
12 matter.

13 Q. In other words, the Secretary is
14 fully informed about that matter?

15 A. Yes.

16 Q. Regarding these grievances, or these
17 complaints, had representations been made also on the
18 American side?

19 A. I think that regarding Lake Ontario
20 that was a case. I think that a number had signed
21 and the American pilots were all in favour of not
22 covering Lake Ontario. I think that there were only
23 one or two American pilots out of the group who had
24 refused to sign to go on Lake Ontario. I think that
25 the majority of them, I think eight or nine of them
26 were in favour of no longer going back on Lake Ontario.

27 Q. This was a question naturally that
28 interested both Governments?

29 A. Yes.

30 Q. Did the American pilots support you



1 French

2 regarding this stoppage of work?

3 A. I don't think that the American
4 pilots were consulted about that.

5 Q. Regarding these permanent licences,
6 well this question naturally fell only within the
7 competence of the Canadian Department?

8 A. Yes.

9 Q. What was the third recommendation?

10 A. Well the remuneration per trip instead
11 of per day.

12 Q. Was that granted to you?

13 A. Yes.

14 Q. On what date?

15 A. It was enforced on August 1st 1962.

16 Q. The decision to change the basis
17 of remuneration, was that decision not one which was
18 represented to be set forth at that time after meetings
19 on the American side in order to allow all interested
20 parties to be heard?

21 A. Well perhaps both Governments had
22 something to say about that. I don't know if there
23 was opportunity to be carried out, but I think that
24 the American pilots already had exercised pressures
25 of one kind. At the beginning they had not seemed to
26 understand our position about that, but after they
27 had a little experience in the District, they agreed
28 entirely with us and they had exercised pressures on
29 their own Government.

30 Q. When was the first request made by you?



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2 A. I think that this is when the two
3 groups started to work in the District. As soon as
4 we were told we would be paid on a per day basis instead
5 of per trip, immediately there was a recommendation made
6 to the Authority in order to see to it that the system
7 was changed.

8 Q. This would be then at the beginning
9 of the navigation season of the year 1961?

10 A. Yes.

11 Q. And your Secretary has all the pertinent
12 correspondence regarding this request?

13 A. Yes, I think so.

14 Q. In conclusion Mr. Bissonnette there
15 is still another point that I would like to see
16 clarified. I did not understand your evidence about
17 that point, and it has to do with the By-Law or rather
18 the settlement made with the American pooling regarding
19 the charge of \$32,000 for the service of a pilot boat.
20 You told us that your contribution, or that of the
21 pilots of your District for the year 1962 was at the
22 rate of \$20,000?

23 A. Yes, that is correct.

24 Q. And out of this \$20,000 how much were
25 you remunerated at the end of the navigation season?

26 A. It wasn't at the end of the season.
27 This was extending over a whole year. We were given
28 back \$10,750.

29 Q. Am I to understand that your
30 contribution, or your final contribution for the operating



1 French

2 cost of the pilot boat was \$20,000 less \$10,750?

3 A. No. There would be something else
4 deducted because we already had used the American boat
5 240 times, so at \$10 per trip it reached an amount of
6 \$2,400 which should be added to this \$10,750.

7 I think we were charged \$7,000-odd for
8 service that we never availed ourselves of.

9 Q. This reimbursement of \$10,750, was
10 it made directly to the Corporation?

11 A. Yes.

12 Q. Was that not put in the common pool?

13 A. No, it was distributed to the pilots.
14 The agreement was that there would be five cheques of
15 \$1,000 each and it started on July 1st, August, September,
16 October, and then there was still a balance of \$750 and
17 every time we received a cheque over \$1,000, it was
18 immediately distributed amongst the 21 pilots; all the
19 pilots who had incurred the expense during the preceding
20 year for this pilot boat, so, of course, it was not
21 put into the common pool. That money was paid directly
22 to the pilots.

23 Q. That is, it was distributed amongst
24 the 21 pilots on duty and the three others who were
25 working on the Great Lakes did not participate in this
26 reimbursement?

27 A. No, because they did not have to
28 incur the expense. I think that at that time these
29 monies were being paid by companies.

30 Q. I surmise, subject to what will be said



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2 by your Secretary-Treasurer, this amount of \$10,750
3 is not shown on the Corporation's balance sheet.

4 MR. LALONDE: The year is not ended yet.

5 A. The last cheque was received in the
6 month of November to the amount of \$750.

7 THE CHAIRMAN: Any further questions?

8
9 CROSS-EXAMINATION BY MR. JACQUES:

10
11 Q. From the comments you have made
12 regarding wheelmen, ships' masters, the crew looking
13 after the tying of lines, leaves me with the impression
14 that you seem to think that the crew of a vessel going
15 through the Seaway is not competent.

16 A. I would not say that, but I would
17 say that as regards the safety of these persons and
18 in the first place it is not the pilot who gives the
19 orders to the seamen to go off. It is up to the ship's
20 master or the mate and they are giving the order to
21 drop off whenever they find it is time to do so, and
22 if the boat is too far from the wall, they will tell
23 them on time and sometimes in windy conditions, we
24 just can't go near the wall but as soon as they are
25 on the quay these men are as good as any others.

26 Q. What is the trouble then?

27 A. The trouble is that most of them do
28 not want to get off the vessel. They are afraid to
29 do so. Even when they are given the order to get off
30 the vessel, many of them hesitate to do so.



1 French

2 Q. Is that the general rule on all the
3 vessels you pilot?

4 A. I would not say it is the general rule
5 but in many cases this sort of exists on all vessels
6 because it is quite a danger because when a vessel is--
7 when a man is at a height of 40 feet, and he has to get
8 off, most of them don't like the system.

9 Q. What makes you say that the crew
10 members are afraid?

11 A. Well we know about that because the
12 ship's master tell us so.

13 Q. Is there any co-operation between the
14 1st mate, or the mate who is on the bow of the vessel
15 and yourself in order to drop the men on the wharf?

16 A. Well we do everything in our power
17 in order to get the vessel as near as possible but in
18 many cases when the vessel is stopped, we no longer have
19 any control on the vessel, so while they drop off the
20 men, and another one runs astern in order to take the
21 lines of the vessel, well all this takes time and
22 sometimes we are 25 or 30 feet from the approach wall.

23 Q. Naturally when we visited the Seaway
24 channel we have seen this operation on lakers and
25 this operation seems to be carried out easily. Naturally
26 the weather was nice but the difficulties you are talking
27 about would they arise every day?

28 A. Not all the time but sometimes we
29 make certain trips where the weather is nice, there is
30 no wind, and we can place the vessel where we want to,



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2 and everything is dependent on the type of engine we
3 have. If we have an engine type of vessel, we can
4 make manoeuvres along the wall while awaiting for the
5 linesmen to drop off but sometimes if you have a turbine
6 engine well the manoeuvre is more complex.

7 Q. If I understand you properly, the
8 problems are caused by the weather which keep you
9 from manoeuvring your vessel as easily as you would
10 wish to do so and also depends upon the type of vessel
11 which you have?

12 A. Yes.

13 Q. What is more important?

14 A. Well the two reasons are important.

15 Q. Do you have any trouble with the lakers?

16 A. Well the lakers are more used to
17 this type of work, and of course, they were used to
18 that type of manoeuvring on small vessels. If you have
19 a vessel 750 feet long, and if you want to make the
20 approach wall, most of the time he must drop off the
21 men through the front of the vessel, the fore part
22 of the vessel; the man who runs back in order to get
23 the lines, the ship master will do everything in his
24 power in order to stop the vessel and sometimes there
25 might be a kind of a swell between the vessel and the
26 approach wall. If there is a wind, well naturally
27 they will have more trouble in swinging out or placing
28 out the cable. Sometimes the heaving line is not
29 long enough from the stern of the vessel, and sometimes
30 you have to tie together two or three pieces of line



1 French

2 before being able to put the vessel next to the approach
3 wall, especially with big vessels today the manoeuvring
E2 4 is different than with small vessels.

5 Q. Insofar as the wheelmen are concerned,
6 what is your purpose of having such wheelmen?

7 A. Well as I explained previously, I
8 think that the pilots task would be sort of facilitated.
9 His tension would not be as great. Perhaps there would
10 be less damage to the vessel.

11 Q. Do you always insist that one of
12 your own wheelmen should be taking you through the
13 channel?

14 A. Well so long as we have a competent
15 wheelman who can hold the vessel, and whenever we tell
16 him steady, he can keep the vessel steady -- what
17 happens on most vessels, I am not talking only about
18 locks, or the approach wall, but in the River and
19 you tell him steady, naturally if we turn and look at
20 another side, immediately then there has been a drifting.

21 Q. In order words, what you are saying
22 is that the wheelmen you have on duty are not
23 competent enough?

24 A. That is correct. As soon as these
25 vessels enter the Great Lakes, the wheelmen are no
26 longer at the wheel. Immediately the ship's master
27 or the mate ask us if they can set it on the automatic
28 gyro-steering. Consequently, they don't have a great
29 deal of practice.

30 Q. This is mere speculation. When you



1 French

2 were a master and pilot, did you take the wheel to do
3 piloting?

4 A. Not for the piloting, but for the
5 lockage.

6 Q. Why?

7 A. Because we thought that to enter
8 the lock the mate or the ship master had more experience
9 and we were on the telegraph there and this was the
10 usual procedure at that time. It was assisted by the
11 ship's master or the mate; practically no one else
12 did the manoeuvring.

13 Q. Was that due to the fact that your
14 wheelmen were not competent?

15 A. They were competent but they needed
16 them on deck because as soon as we entered the lock
17 the wheelsman had to go down below.

18 Q. It was because they were not available,
19 not because they were not competent?

20 A. That is correct.

21 Q. What is the actual objection you
22 have to becoming a civil servant? Is it simply because
23 the pilots do not want to be Government employees, what-
24 ever the Government would offer them?

25 A. I don't think so. It's because the
26 pilots want to stay free.

27 Q. They want to stay free so that what-
28 ever the Government will offer it won't be accepted?

29 A. I don't think so.

30 Q. You have told us that you were paid



1 French

2 so much per day some time ago. Is that so?

3 A. At the end of the month we list all
4 the days during which the pilot has been on duty in the
5 course of the month and we make an average per day.
6 We divide up between 30 all the money which had to
7 be divided and that may be so much per day. For instance,
8 if the pilot had been on duty for 25 days, he would be
9 paid for 25 days, so much per day.

10 Q. As long as he had been available
11 he would be paid?

12 A. Yes.

13 Q. Did he charge by the day, or was he
14 paid so much per day or so much per trip?

15 A. So much per trip.

16 Q. Are the American pilots bilingual
17 in your District?

18 A. I think two of them are. Two of them
19 are bilingual and two or three others understand French
20 but they don't speak it.

21 Q. Are all the Canadian pilots bilingual?

22 A. Yes. Yes, up to a certain point.

23 Q. I think you probably know a lot of
24 masters of lakers?

25 A. Yes, I know a few of them.

26 Q. Are they all bilingual?

27 A. I believe so. All those I have met
28 could manage very well in English -- could manage very
29 well in French.

30 Q. What about masters whose maternal



1 French

2 language is English?

3 A. In that case, I don't think so.

4 Q. I was not asking you whether French-
5 Canadians were bilingual. I said all pilots?

6 A. I think the English-speaking ones
7 may understand French, but they do not speak it. We
8 have a pilot in our District who is Canadian-English
9 and who speaks French.

10 Q. You made two statements which surprise
11 me. You said that when the boat was attached to the
12 approach wall, this would save time. Is that what you
13 said?

14 A. Yes, this is so.

15 Q. You also said that when the boat was
16 not attached to the approach wall, it would be faster.

17 A. I don't understand you.

18 Q. The second statement was made when
19 you spoke about the second pilot in the wintertime.
20 Would you like to start all over again please and tell
21 us whether it is quicker when you attach to the approach
22 wall or not?

23 A. As soon as the other ship comes, if
24 you are attached to the approach wall, comes into the
25 lock, you can go in at once. Where, if you were two
26 miles downstream you would have to slow down. You would
27 have -- wouldn't tie the boat, that would be so much
28 time lost before you could enter the lock afterwards.
29 Therefore, it is shorter to tie up the boat before
30 you enter the lock.



1 French

2 Q. From the point of view of the speed
3 of the passing of the boat in the lock, it is preferable
4 to tie it up to the wall?

5 A. It depends on the dispatcher. When
6 we report a point, we are told to go down and come and
7 tie down to be ready to enter the lock, when another
8 boat will go out, quite often the master asks us if
9 we could do without tying up so that men won't have to
10 go ashore. Therefore, sometimes it is difficult but
11 in the majority of cases we have to tie up because when
12 the lock is being opened, there is a certain current
13 and we have to tie down the boat.

14 MR. LALONDE: To be quite fair to the witness,
15 we might ask him to explain what he said or might have
16 said concerning what happens with two pilots in
17 December. If there were two pilots at December 1st,
18 you could take turns at the wheel and that would
19 facilitate, or at least accelerate the entrance in the
20 locks. Do you make a distinction at that time as
21 regards the speed of traffic.

22 THE WITNESS: Yes, I was just going to
23 explain this. When you have two pilots at the end of
24 the year, the majority of cases there is little traffic,
25 or no traffic. Therefore, the locks are ready. There-
26 fore, you don't have to go and tie yourself up. With
27 certain boats if the wheelsman is not competent, we
28 run the risk of going straight into the lock but if
29 the boat is very wide, we won't go straight. We will
30 first of all go to the approach wall and follow the



1 French

2 approach wall but if you go straight into the wall,
3 you save time because it's a waste of time to go along
4 the approach wall, to have one man jump ashore to tie
5 up, et cetera, and it is much faster if the boat goes
6 straight into the lock, for a qualified person who can
7 steer the boat, in the majority of cases we go straight
8 into the lock. This is the difference which I make
9 between the two.

10 Q. Now Mr. Bissonnette the Corporation
11 of the Pilots of the St. Lawrence River and Seaway
12 have in the file of the Federation made the following
13 recommendation, recommendation one on linesmen, that
14 the Seaway furnish linesmen at the approach wall.
15 Your Corporation has made the following recommendation:
16 That the Seaway furnish linesmen at the approach wall.
17 The recommendation No. 2 of the Corporation of St.
18 Lawrence River and Seaway pilots is similar to your
19 recommendation No. 2 about the wheelmen. Has there
20 been any previous consultation between these two
21 Corporation, about these two recommendations?

22 A. I don't think so because our
23 recommendation, we made it on the separate basis. As
24 far as I am concerned these recommendations were made --
25 I was the President and I never consulted anyone from
26 the Corporation of Pilots. You understand that we
27 make more or less the same work in the District.
28 We have locks to go through. We have narrow channels,
29 and so forth. Therefore, we also had the experience
30 that when pilots were to take the wheel, or in the District



1 French

2 of Cornwall I have done a number of trips with two
3 pilots and I could realize the difference which it
4 made when you have two pilots as from the 1st of
5 December. That is what led us to make this request.

6 Q. This was never discussed between
7 both groups of pilots? Is this something quite
8 spontaneous?

9 A. No, there probably would have been
10 discussions between the pilots and the question was
11 raised so often that the pilots said if I had a good
12 wheelsman that it wouldn't have happened, talking
13 about small damages or small difficulties with locks,
14 and in the majority of cases the pilot thought it
15 was the fault of the wheelsman. Therefore, this was
16 probably mentioned several times by pilots in conver-
17 sation. For instance, a wheelsman did not give me
18 the good wheel, and so forth.

19 Q. Therefore this is the usual topic
20 so that you have presented ^{it} /to the Commission of Inquiry.
21 Did you make recommendations to anybody concerning
22 the linesmen and the wheelsmen before?

23 A. Yes, I think that the President
24 of the Corporation, St. Lawrence Kingston-Ottawa already
25 presented some recommendations on the matter.

26 Q. Would you like to try and trace it
27 back, if it exists in your documents or archives?
28 Last year did you have any trips in December?

29 A. No, not personally but this year
30 there has been several, yes.



1 French

2 Q. Is a trip in December necessarily
3 slower than a trip before December or in the summer?

4 A. I think that generally speaking it
E 5 is longer because of the temperature and also due to
6 possibly snow, fog, which you do not get in the summer.

7 Q. Are maritime aids suppressed
8 in the summer?

9 A. No, they are not, but owing to the
10 ice, the main points where you have to alter the course,
11 the buoys are iced to a certain point so it is very
12 difficult to distinguish them from the ordinary ice.

13 Q. You made a recommendation concerning
14 the smaller boats. What do you mean by smaller boats?

15 A. Boats of the 250 net tons, the little
16 fellows which go up the Seaway.

17 Q. The schooners?

18 A. Yes, that is it.

19 Q. Thank you.

English

20 COMMISSIONER SMITH: My lord, I would
21 like to ask the witness a question. I would like to
22 have your views, if you would care to express them,
23 on an article taken from the United States News
24 Worldwide of April 22nd last:

25 "Understand main problem in Seaway
26 "is unfamiliarity of deep-sea captains
27 "with the confined waters of Seaway. There
28 "were a great number of accidents."

29 Would you care to express any views on
30 that quotation?



1 English

2 THE WITNESS: Well I really don't know
3 if they are meaning accidents in the Pilotage District
4 or in open waters.

5 COMMISSIONER SMITH: Well it isn't very
6 clear but I would almost suspect that it is in the
7 confined waters.

8 THE WITNESS: So in restricted waters?

9 COMMISSIONER SMITH: Yes.

10 THE WITNESS: Well I think it is not too
11 clear to answer that question.

12 COMMISSIONER SMITH: You would not want
13 to express any view?

14 THE WITNESS: No, I think it is too much
15 to hazard this.

16 (THROUGH THE INTERPRETER.)

17 Q. Do you know the boat the SILVER ISLE?

18 THE WITNESS: Yes.

19 Q. Did you see it manoeuvring in the
20 Lakes at the locks?

21 A. No, I met her in the River at several
22 opportunites but I have never seen her through the
23 locks.

24 Q. Have you had to manoeuvre this boat?
25 Did you go on board?

26 A. No.

27 MR. LALONDE: The SILVER ISLE.

28 Q. Was there an accident on the
29 MANCHESTER MERCHANT?

30 A. Yes, I read it in the papers.

French



1 French

2 MR. LALONDE: I put a question about an
3 accident on the SILVER ISLE to which you did not reply.
4 When did it happen?

5 THE WITNESS: It happened in the course
6 of the summer. I cannot remember which month. I think
7 it was July or possibly August. I can't remember
8 exactly.

9 MR. LALONDE: Was there another boat
10 involved?

11 THE WITNESS: Yes, PRINCE ALEXANDER, an
12 ocean-going vessel.

13
14 RE-DIRECT EXAMINATION BY MR. LALONDE:

15
16 Q. Were you on board the PRINCE ALEXANDER?

17 A. No.

18 Q. Is there an inquiry being made about
19 it?

20 A. Yes.

21 Q. I would like to have the file of
22 this investigation put at the disposal of the Commission
23 later on.

24 THE CHAIRMAN: In all cases where there
25 has been an accident and when investigations are not
26 complete, I do not think we should decide whether the
27 file should be filed or not filed. When we are in
28 Ottawa, when we have a meeting in Ottawa, you will
29 be at that time in a position to decide whether it
30 is in the interest of the Committee to be informed about



1 French

2 these procedures in the affirmative; it will be
3 time then to have it filed in the brief.

4 I have a number of questions to put concern-
5 ing the payment. Captain Bissonnette told us at the
6 beginning the pilots were paid so much per day and
7 this was altered later on and they were paid so much
8 per trip. You are dealing with Canadian pilots. Does
9 this same thing apply to the American pilots? Were
10 they also paid so much per day?

11 A. Yes, that is exact.

12 THE CHAIRMAN: When you were changed,
13 this was changed for both groups?

14 THE WITNESS: Yes, that is correct.
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17 -----
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/TT/RPS 1 French

2 THE CHAIRMAN: In other words since the
3 joint Canadian-American operation, the payment is on
4 the same basis for both groups?

5 THE WITNESS: It is correct.

6 THE CHAIRMAN: If you became a civil servant,
7 assuming it, would the Americans have to become civil
8 servants as well automatically in order to work efficient-
9 ly?

10 THE WITNESS: I think so because we have had
11 an example in District 2--Canadian pilots are civil
12 servants and American pilots are paid per trip and
13 there has been a lot of criticism raised in this matter.

14 MR. JACQUES: Criticism from whom?

15 THE WITNESS: From the Canadians and the
16 Americans.

17 Q. With regard to pilot boats at the
18 end of 1961, did the Pilot Authorities have anything
19 to do with the settlement subsequently to the date of
20 letter in which was said nothing could be done?

21 A. Did you say 1961 or 1962?

22 Q. 1962.

23 A. Would you like to repeat your question?

24 Q. Did the Pilot Authority have anything
25 to do with the agreement reached with the American
26 pilots concerning the pilot boats?

27 A. Not at all. The Canadian pilots
28 decided when they realized the Government could do nothing
29 for us in the circumstances, we tried to settle the prob-
30 lem to the best of my knowledge. This contract which



1 French

2 I referred to yesterday, was valid for one season only,
3 and it has to be re-dealt with again this year.

4 THE CHAIRMAN: By whom?

5 THE WITNESS: By both groups, by the
6 Canadian and American pilots.

7 THE CHAIRMAN: You really have a contract
8 and it is the agreement which you have mentioned that
9 \$2,250 were paid down to you. This is what you call
10 the project?

11 THE WITNESS: This was -- it is a contract
12 covering the agreement in 1962 for agreement in 1963.

13 THE CHAIRMAN: You have now agreed to a
14 new one for 1964?

15 THE WITNESS: Yes.

16 THE CHAIRMAN: This is not done through the
17 medium of the Pilot Authorities?

18 THE WITNESS: No.

19 Q. How would you explain your relationship
20 with the American pilots this year?

21 A. Very good. Particularly as compared
22 with the previous years.

23 Q. In your opinion, would you be in a
24 position as a group to take over the pilot administration
25 in a similar way to what is being done on the American
26 side?

27 A. I think so, because various meetings
28 we had with Americans in the course of the season. I
29 will put it in this way, that the Americans administer
30 themselves. I think they have reached the conclusion



1 French

2 that the expenditure could be reduced to a large extent
3 if we could administer ourselves. But, we have nothing
4 to say and the Department decides the expenditure in the
5 District. Then, the Americans do want to negotiate with
6 the Canadian pilots.

7 Q. You have been interrogated about your
8 present duties as master or 1st mate on board ship and
9 it was hinted that the number of trips which you are
10 doing now is about half as many as what you did when
11 you were master pilot.

12 A. Yes. But, I would like to add here
13 that at that time piloting was done by the 1st mate
14 and master, and therefore it was split into two persons.
15 We work by shifts of six hours. Because we were
16 separate, agreeing to the parts of the River we would
17 pilot, as an instance, one would do the St. Francis Lock
18 and one Lock St. Louis and another would do the currents.
19 In the majority of cases the currents were between
20 Dickinson's Landing and Cardinal, downstream particul-
21 arly. The majority of captains wanted a 1st mate
22 on board because there was a lot of danger of collision.
23 The other part west of Cardinal to Kingston, it was
24 agreed that each would do half of this part of the
25 River.

26 Q. When you were questioned concerning
27 the pilots which did not have licences and who operated
28 in the District, I think you mentioned the fact there
29 were two categories of pilots.

30 A. Yes. I wanted to say there were two



1 French
2 pilots in the Montreal-Kingston District. There are
3 two pilots. As soon as they would resign their duties,
4 no further licences would be issued for special pilots.
5 I wanted to refer to the special pilots.

6 Q. In future, had you contemplated this
7 operation?

8 A. I think that all pilots should be
9 licensed by the Government in the same way as the last
10 systems of pilots would be admitted to piloting.

11 Q. You said that a few hundred pilots'
12 licences were issued in 1934 and following years. Do
13 you know whether there was a cook that was granted such
14 a pilot licence?

15 A. I have heard about it but I cannot
16 certify it. He was an all-round piloted pilot.

17 Q. He became a pilot according to a
18 certain system as well as some of your colleagues. What
19 are your main objections to the fact that pilots should
20 be trained according to the same system as was used by
21 you?

22 A. I think there is a great deal of
23 difference between that time and now. At that time the
24 first mates, since starting up from 1st mate would
25 accomplish manoeuvres on a regular basis almost, whilst
26 today there are only seven locks, in that time there
27 were 21 locks, and naturally they kept someone to help
28 them. Whilst today we have only seven locks to go
29 through and I do not think we need mates. Especially
30 on lakers, I do not think there are masters who leave



1 French

2 mates to manoeuvre on locks because of the small number
3 of locks today.

4
5 CROSS-EXAMINATION BY MR. BRISSET:

6
7 Q. Do these captains leave the pilot to
8 do the manoeuvre through the locks?

9 A. Yes.

10 Q. The vessels as we have in our District?

11 A. Yes. On many occasions, not always
12 perhaps, but on many occasions the master would ask
13 us to do the manoeuvre through the lock.

14 Q. This would be rather the exception than
15 the rule?

16 A. Yes. This would be an exception. On
17 many occasions on the lakers the ship -- a master would
18 ask me to manoeuvre through the lock when there is great
19 current.

20 THE CHAIRMAN: Are there any further
21 questions of Captain Bissonnette?

22 Thank you Captain.

23 We are going to adjourn until 2:30 this
24 afternoon.

25
26 ---LUNCHEON ADJOURNMENT:

27
28 * * * * *
29
30



/TT/RPS 1 French

2 ---UPON RESUMING AT 2:30 P.M.

3

4 FURTHER CROSS-EXAMINATION BY MR. JACQUES:

5 (THROUGH THE INTERPRETER.)

6 Q. Mr. Bissonnette, regarding the inter-
7 view you and your colleagues had with the Minister on
8 February 28th, 1962 relating to the offer of entering
9 the Civil Service, could you please tell us if it was
10 the first time that such an offer was made to you at
11 that particular meeting?

12 A. I think so.

13 Q. You were not approached to give details
14 concerning that offer?

15 A. I don't think so. Not to pilots.
16 The offer was made to the Corporation at the time,
17 but I am not aware of that.

18 Q. You were not an officer of the Corpor-
19 ation at that time?

20 A. I think I was a member of the
21 Subcommittee of the St. Lawrence, Kingston-Ottawa which
22 was representing the Kingston District, but I did not
23 hear about any correspondence about that at that time.

24 Q. As far as you are concerned, when
25 you went to that meeting in February, it was the first
26 time you were hearing about the offer, is that correct?

27 A. So far as that District is concerned,
28 yes.

29 Q. The document is annexed to Exhibit
30 849 entitled Statement for Minister



1 French

2

3

4

5

6

A. This document was given to us on the morning we arrived in Ottawa before the holding of the meeting. Before the meeting we were given a copy of that document.

7

MR. JACQUES: Thank you.

8

9

10

THE CHAIRMAN: Once again, Mr. Bissonnette, regarding the American pilots, the Pilotage Authority is their own Corporation?

11

THE WITNESS: Yes.

12

13

THE CHAIRMAN: Whilst on the Canadian side, naturally the Minister is the authority?

14

THE WITNESS: Also that is correct.

15

16

17

THE CHAIRMAN: When you had a new contract regarding the pilot boat, the two Pilotage Authorities negotiated that matter?

18

THE WITNESS: No.

19

20

THE CHAIRMAN: Did the Corporation of Pilots or the Pilotage Authorities on the other side?

21

22

23

24

25

26

27

28

THE WITNESS: Yes. I must add that all the discussion that took place during that year was held between the American Association and St. Lawrence Pilots. But, in order to reach that agreement two persons were appointed to apply to the American Association. There were two pilots outside of our committee who tried to negotiate, that is, to try and reach an agreement.

29

30

THE CHAIRMAN: You stated this morning that your Canadian group had very good relations with the



1 members of the American group. Was that always the
2 case?

3 THE WITNESS: No.

4 THE CHAIRMAN: How come everything runs
5 smoothly today and such was not the case previously?

6 THE WITNESS: Well, I think it would be
7 a long history to try to tell here, but in brief when
8 the Americans started to do some pilotage work in the
9 Kingston District, I think the American Authority had
10 appointed five persons in order to establish a pilotage
11 system within that District. I think, as these five
12 persons had been appointed by the American Authority,
13 they thought they themselves would become the District
14 and on many occasions they raised points that were
15 absolutely impossible to get along with.

16 Ever since that time the members of the
17 Board of their own Association have changed, and I
18 think they are the persons that we make the negotiation
19 with or need their co-operation. They want to really
20 work smoothly with Canadians. They want to have a uniform
21 group.

22 THE CHAIRMAN: Don't you think the situation
23 could get back to what it was previously?

24 THE WITNESS: This might be possible if there
25 is a change within the Board and if one of its older
26 pilots comes back as a member of the Board of Directors.
27 There might be a change again in the relationship.

28 THE CHAIRMAN: Are there any further
29 questions?
30



1 French

2 FURTHER RE-DIRECT EXAMINATION BY MR. LALONDE:

3
4 Q. Mr. Bissonnette, the negotiations
5 you had with the representatives of the American pilots
6 in order to settle the problem of their pilot boat,
7 were there any steps that were taken with the Canadian
8 Pilotage Authorities before having these direct
9 negotiations?

10 A. Yes.

11 Q. Was this intervention on the part of
12 the Canadian Authority fruitful?

13 A. Well, fruitful up to a certain extent.

14 THE CHAIRMAN: You mean the intervention
15 of the Canadian pilots to their Pilotage Authority, because
16 we have no evidence of there being an intervention or
17 interference on the part of the Canadian pilots with the
18 American pilots.

19 MR. LALONDE: I have filed a letter dated
20 February 1962 which gives the nature of the negotiations
21 that took place.

22 THE CHAIRMAN: Dated July 6th?

23 MR. LALONDE: Yes. This is a letter written
24 by Mr. Booth. It is part of Exhibit 851.

25 THE CHAIRMAN: Yes. In the last paragraph
26 Mr. Booth states that there was a strong stand taken
27 by Canadian pilots against the American pilots, but
28 nothing was changed.

29 Q. According to him he could not do
30 anything more about that. At that time the Canadian



1 French

2 pilots took it upon themselves to make direct negotiations
3 in order to reach settlement.

4 You mentioned the fact that there were
5 difficulties at the outset and there might be other
6 difficulties which might arise in future. On the other
7 hand, would you be in a position to say if these diffic-
8 ulties were due to the fact that the pilots of this
9 group were suddenly grouped together by the American
10 Authority in 1961?

11 A. I think I answered that this morning.
12 There was a group of five pilots who were more or less
13 forced to establish a system as soon as possible
14 unless these persons had been appointed by the American
15 administration. They thought they were lord and masters
16 and that they could run the whole business and thought
17 they were the only ones to have a voice in the chapter.

18 Q. These pilots, who were appointed at
19 that time, were they composed of more or less a
20 homogeneous group, or did they have a different maritime
21 experience as a group? The American pilots who have
22 been appointed in 1961, were they seamen who came
23 from a given region or working together previously?

24 A. I think they came from everywhere.
25 Some from the Panama Canal and some from New York.
26 Two in the group also navigated more or less as sailing
27 masters. They came from everywhere in order to constitute
28 a District.

29 THE CHAIRMAN: Whilst the Canadian pilots
30 were pilots who had been doing this service for a number



1 French

2 of years before that. What happened with the dispatching
3 regulations -- what happened when the joint operations
4 started?

5 THE WITNESS: When the joint operation
6 started, we suggest to carry on with the same system
7 of dispatching regulations and District regulations and
8 District By-Laws. It was, in the end, difficult to
9 make them understand that in light of the past exper-
10 ience the system was a good system and worked smoothly.
11 Gradually they understood that the system was an
12 efficient one and accepted it at the end.

13 THE CHAIRMAN: Was the other system enforced
14 at the same time?

15 THE WITNESS: Yes. Tried to change or
16 interpret those regulations.

17 THE CHAIRMAN: You said you have suggested
18 something. In which way, by joint meetings of all pilots
19 in all Districts?

20 THE WITNESS: Not all the pilots.
21 The two Boards of Directors of both Associations which
22 met quite often, and it was suggested that we should
23 accept those regulations while making it clear to them
24 that two dispatching systems would not yield good
25 results and we should have one uniform system.

26 THE CHAIRMAN: Do you still hold joint
27 meetings with representatives of both groups?

28 THE WITNESS: Yes. This has been a good
29 year. We have had several meetings with counsel of the
30 Association, and we have concluded several very important



1 French

2 agreements for the benefit of everybody, and I think
3 it is a very good thing.

4 THE CHAIRMAN: Did the Canadian pilots
5 attend the meeting?

6 THE WITNESS: Occasionally we are invited
7 to attend the meetings to make sure that both groups
8 change or whether such and such a resolution is carried
9 out.

10 THE CHAIRMAN: The discussion takes place
11 between the two groups?

12 THE WITNESS: That is so.

13
14 CROSS-EXAMINATION BY MR. BRISSET:

15
16 Q. Could you give me the name of the
17 five pilots which have been just mentioned?

18 A. I don't know about their initials
19 but the surnames are Fracarie, Kozak, Emilburger, Hatch,
AA2 20 Anderson.

21 Q. Is it not true, Mr. Bissonnette, that
22 these five pilots had a number of years previous
23 experience as pilots not only on the Great Lakes but
24 also in some cases in the Panama Canal or other places?

25 A. I believe that among those I have
26 mentioned one in particular had been an apprentice
27 pilot on the Panama Canal. There was one pilot in the
28 District who had been a pilot on the Panama Canal but
29 he is not one of these five. Otherwise I should not
30 tell what experience they had. I know they made 12 trips



1 French

2 in the District to get used to the District. That is
3 all I know about their experience.

4 Q. As a matter of fact, you are not aware
5 of their previous experience on the waters of the Great
6 Lakes at Basin?

7 A. No.

8 English COMMISSIONER RENWICK: My lord, it would
9 appear to me from testimony we have been listening to,
10 that the situation existing now is very much improved.
11 That is granted. It appears to me that this is a result
12 of men meeting together and men with good faith and I
13 do not think that is a sound premise on which to build
14 the future because that situation could change overnight.

15 THE CHAIRMAN: It is exactly what I was
16 trying to find out and have put on the record.

17 THE WITNESS: Unless these people have
18 changed their minds since we don't know because we
19 haven't discussed with any of these guys later.

20 COMMISSIONER RENWICK: I am thinking more
21 of the future.

22 MR. LALONDE: Exhibit 671 settles all that.
23 That is the brief of the Federation of Pilots.

24 French Q. In many cases if there are changes
25 to be made to the regulations as provided for by the
26 regulations there must be public audition and according
27 to the American Pilotage Regulations when there is
28 any changes to be made to the regulations in many cases
29 as provided by law, there must be a public hearing to
30 which interested parties may make representations which



1 French

2 does not exist on the Canadian side.

3 A. That is right.

4 THE CHAIRMAN: I hope we will have some
5 evidence of what goes on there on the American side
6 because we would like to compare both systems because
7 we will have to report on the evidence we will have
8 before us. We would very much like to have evidence
9 on both sides of the coin on both systems which are
10 employed.

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B/MR/RPS¹

French

2 We hope that the American pilots will be
3 in a position to send a representative to us, but it
4 is up to them to decide it or else maybe the witnesses
5 present here will be able to bear witness.

6 MR. JACQUES: The Commission will receive
7 very soon the whole of the American official documentation
8 about pilotage on the Great Lakes. For instance, the
9 Great Lakes pilotage regulations, the rules and
10 orders together with amendments and also the Bills
11 on the matter. We have the majority of those documents,
12 but one is still missing and as soon as we get it,
13 we will have a general distribution to the members of
14 the Commission.

15 THE CHAIRMAN: Thank you Captain Bissonnette.

English¹⁶

16 MR. BRISSET: I would like to bring before
17 the Commission at this stage a witness whom I am calling
18 perhaps out of turn but who will not be available after
19 this week, and I would like to have permission to call
20 him now. My learned friends have told me they have
21 no objection.

22 THE CHAIRMAN: That is quite all right.
23 Of course we know that some witnesses may be called,
24 and it is very difficult on account of their duties
25 to have them attend; or on account of their turn,
26 especially when they are pilots. Like Mr. Gendron we
27 had to arrange for the strike, and so on. That is
28 quite all right as far as we are concerned.
29
30



1 English

2 GEORGE N. DOWNEY, Sworn

3

4 THE SECRETARY: Your occupation?

5 THE WITNESS: Pilot.

6 THE SECRETARY: In what District?

7 THE WITNESS: Cornwall District.

8 DIRECT EXAMINATION BY MR. BRISSET:

9

10 Q. Captain you are now a pilot in the
11 Cornwall District formed in 1961?

12 A. That is correct.

13 Q. How old are you?

14 A. I am 61.

15 Q. Will you give us briefly an outline
16 of your experience at sea before you became a pilot?

17 A. Well I had been deckhand and came
18 up to master. I was master for let us say from 1927 until
19 1930.

20 Q. You were master ---

21 A. On lake ships and mate and pilot.

22 Q. And what certificate did you hold
23 as master?

24 A. Master coasting.

25 Q. And you actually were in command of
26 vessels from 1927 to 1930?

27 A. That is correct.

28 Q. And after 1930 what did you do?

29 A. Well 1930 I was piloting deep-sea
30 ships and some lake ships, and then I was master again



1 English

2 on lake ships until 1939, and then I was a pilot and
3 then I went in the Navy.

4 Q. When did you go in the Navy?

5 During what period?

6 A. January of 1941.

7 Q. And what was your rating in the
8 Navy?

9 A. Lieutenant Commander.

10 Q. And how many years ---

11 A. I went in as a Chief skipper, and then
12 I was promoted to skipper lieutenant, and then to
13 lieutenant commander because of the class of ship
14 I was commanding.

15 Q. How long did you remain in the Navy?

16 A. For five years.

17 Q. What ship were you on in the latter
18 part of your Navy career?

19 A. I was in command of the BARRIE,
20 a corvette and the BUCKTUSCH, which was a corvette
21 and the JOLIETTE which was a frigate, and I finished
22 the war in the PRESTONIAN, another frigate.

23 Q. Now when did you first receive your
24 pilot's licence?

25 A. Well I was issued the first pilot's
26 licence that was issued in this District from Montreal
27 to Kingston.

28 Q. In other words you got licence No. 1?

29 A. That is correct, No. 1.

30 Q. In what year was that licence issued



1 English

2 to you?

3 A. I think it was in July of 1934.

4 Q. Now will you give us a bit of the
5 history of the issuance of that licence, and what
6 transpired at the time that this licence was issued
7 to you?

8 A. The licences were being issued in
9 July. That was the start of them, and then they issued
10 I don't just remember how many, but then they cut them
11 off until the winter months came along and your
12 qualification then was that if you had been a master
13 and a pilot, or a mate and pilot, or if you knew
14 some of the heads in your office quite well, well you
15 get a recommend from them that you came in the River,
16 you made a trip in the River so that really qualified
17 you for a pilot's licence.

18 Now at that time Captain Robinson who
19 was Supervisor of Pilotage at that time, he named me
20 as President at such time as they had the licences
21 issued and the men could get together and form, or
22 elect their own Committee and I sat on the Board of
23 Examiners that winter and in all there was two hundred-
24 some licences issued in the District and anybody,
25 if you were a cook and you made the trip in the River
26 and you could get a recommend from some of these
27 lake shippers, well you got a licence. So in the
28 winter months, of course, we expected that these
29 licences would be cut off; they would issue no more.

30 I think they all agreed that there had been



1 English

2 plenty. There was work for about half a dozen pilots
3 and you had 216 licences.

4 Q. Let me interrupt you. Am I correct
5 in understanding that 1934 was the beginning of the
6 Pilotage District?

7 A. As a District.

8 Q. As a District, the St. Lawrence Ottawa-
9 Kingston pilots?

10 A. That was the beginning.

11 Q. As it came to be known?

12 A. That is correct.

13 Q. That was the beginning of it?

14 A. That was the beginning of it, yes.

15 Q. You told us that some of these
16 licences, of which many were issued at the beginning,
17 or reviewed, or am I correct in stating this?

18 A. Reviewed? In what way do you mean?

19 Q. You spoke of an examination that
20 was to take place in the winter?

21 A. The examination took place and
22 if the recommendation was there--there was no question
23 of how many buoys were in the River, or the courses,
24 or anything like that. There was no examination of
25 that sort. It was just if you had a recommendation
26 from Mr. Duffy; his name appeared on practically half
27 or more of the licences. He was the man that recommended
28 this man as a pilot. Well he didn't have to be a pilot.
29 If he had made a trip in the River, many of these
30 people never did use the licence but they had them.



1 English

2 MR. LALONDE: Could we know who Mr. Duffy
3 was?

4 THE WITNESS: You must be pretty young.

5 MR. LALONDE: I am.

6 THE WITNESS: He was the pilots' boogieman
7 in the Canada Steamship Line. He was the man, he was
8 the dispatcher who looked after the pilots.

9 Q. Well we had the beginning of the
10 District then at the time?

11 A. Yes.

12 Q. Tell me, from 1934 on what ships that
13 were being piloted, were piloting mainly at the time?

14 A. At that time we had a few deep-sea
15 ships that come up here, the odd tramp and at that time
16 the FJELL Line were in here. These people all had their
17 special pilots. Imperial Oil had their special pilots.
18 The Canadian Steamship Lines had their special pilots.
19 And then we had tour de role, men that couldn't get a
20 job. I mean they lost their job as master. They would
21 place their name on this tour de role and if a ship
22 came along that wanted a tour de role pilot, didn't
23 know these well-known pilots, they would take him and
24 there was no sense or reason, no organization or
25 anything.

26 Q. Now from then on, after the formation
27 of the District, was some kind of an organization put
28 in the District?

29 A. Yes.

30 Q. Will you tell us briefly the story,



1 English

2 how it was eventually begun and what part you had to do
3 with it?

4 A. Oh well I was the President.

5 Q. You were already President?

6 A. We had a bunch of pilots in Quebec.

7 We had a bunch of pilots in Ontario so according to our
8 By-Laws we were to elect five members of the Committee
9 so as the majority were in Quebec, we would elect
10 three members from Quebec and two from Ontario.

11 We didn't hold these meeting together. Some
12 meetings would be held in Kingston, and another one
13 in Montreal so then these five people would get together,
14 and of course I was President from Kingston, the
15 Secretary and the Vice-President were members from
16 Quebec so then we tried to stop the issuing of pilots'
17 licences and this was done with a promise from the
18 Pilotage Authority that if we would just pass this one
19 more man who had made application, they would stop
20 issuing licences so we thought well we will examine
21 him, so I was elected to go to Toronto and I failed
22 him. So that ended that. I might say I lost a friend
23 for life.

24 So the next thing we tried to do was to
25 get the number of pilots limited. I mean these pilots
26 that were not active pilots, we felt they should not
27 be allowed to put their name on the tour de role.
28 They were carrying this licence, as I did myself as
29 master, as an insurance policy because on the lake
30 ships you never know how long you are going to have



1 English

2 a job. The next letter you get may be your notice that
3 you are finished, so my first objective was to get all
4 the pilots together at a general meeting and everybody
5 elect a Committee.

6 That took some time to do that but we did
7 and we held our general meeting here in Montreal and a
8 Committee elected. Then we had a pretty fair thing
9 working for us. We had an eye test every year, and
10 we would go and sit and collect dues off these people
11 that came for their eye test and we got \$2 off of
12 each man but he thought it was for the eye test.

BB2 13 Well Mr. Duffy got word of that, so he soon put a stop
14 to that. We had to go into another room, and of course
15 most of them would by-pass us then. Well we did not
16 do too well on that. So then we had an idea that
17 maybe if we would meet these shipowners -- remember,
18 we are dealing with the lake shippers and if you have
19 ever dealt with them, you will understand what a problem
20 we had. We thought if we got them altogether and
21 tried to explain our problem to them, that they could
22 help us. Well we didn't find it worked out that easy.
23 We had one meeting in Ottawa and at that time they
24 had contract pilots, Canada Steamship Lines had contract
25 pilots and they wanted to create their own pilots,
26 train their own pilots, sign them as active pilots.

27 Well we had a lot of regulating to do.
28 You see, a man on tour de role, special pilot would
29 come in and maybe his ship had gone to Chicago or
30 something so he would be available for a week or two



1 English

2 and some ship would come down and wanted a pilot, and
3 then the captain asked who was on turn, or the agent,
4 and of course they would take the best-known man for
5 their ship. Which was the natural thing to do, so we
6 had to get our own pilots regulated so we made a number
7 of regulations that if he was a special pilot, he could
8 only be special pilot for that one company; couldn't
9 pilot other ships. If he resigned from that, he couldn't
10 be named as a special pilot again for that company.
11 More or less tried to --- they agreed to all this
12 but then when it come to creating their own pilots,
13 the Canada Steamship Line creating their own pilots,
14 we just threw it back in the lap of the Department and
15 said here, this is not right, and you have got to
16 make a decision, so it was up to you. I think Mr.
17 Smith will well remember that meeting.

18 COMMISSIONER SMITH: Very well.

19 Q. Captain, I don't want to go into
20 too much detail in the past history. I just want to
21 show a bit how the District was eventually formed. I
22 think what you have told us up to now was what happened
23 before the war. Am I right?

24 A. That happened before the war, that
25 is right.

26 Q. Who was navigating in the Lakes at
27 that time?

28 A. Well there was only one regular
29 line that I can remember and the odd deep-sea ship that
30 was coming up here and they were more or less done by the



1 English

2 pilot going up to the agent and getting the job.

3 Q. Before the war had the ocean ship
4 industry taken any real interest in pilotage in these
5 waters?

6 A. One man, Mr. Brock, who was our friend.

7 Q. He was with the ---

8 A. Fjell Line.

9 Q. The Orange Line?

10 A. No, just Fjell Line.

11 Q. I assume that during the war there
12 were no ocean ships coming into the Lakes?

13 A. I wouldn't know. I wasn't there.

14 Q. You were away?

15 A. Yes.

16 Q. Let's go after the war and proceed
17 with the history. I want to get to the point where the
18 District was no longer unorganized, but was really
19 getting organized.

20 A. Well it was that time that we got the
21 number of pilots limited in the District. The lake
22 ships were taking more pilots. There was a greater
23 number of deep-sea ships coming into the Lakes. I don't
24 think up to that time that the Shipping Federation was
25 too interested in the Lakes until it started moving up
26 here in greater numbers.

27 Q. When did that happen?

28 A. I can't remember dates too well.

29 Q. Was it some years after the war?

30 A. Oh it was two or three years, maybe more



1 English

2 than that.

3 Q. After the war?

4 A. That is right.

5 Q. Now will you proceed from then on and
6 tell us how the Pilotage District ---

7 A. How it worked from then on? At that
8 time there was a number of these deep-sea ships coming
9 up here and we were kind of in a bad position for
10 pilots at that time because the lake ships were quite
11 busy. Jobs there -- master and that was busy all the
12 time and the number of ships that we had -- people that
13 weren't pilots, they had no pilot's licence, they were
14 going to these different companies and taking these
15 jobs, taking them up the Lakes and back, and we were
16 losing that work so at that time the Shipping Federation
17 was getting more interested because there was talk then
18 of the deep Seaway so we decided then that we would
19 go and see these people and see if we could make a
20 deal with them. So we did. We met the Shipping Feder-
21 ation and we explained our problems to them. We
22 were quite happy to see that we could talk to them
23 before they said no, which we had been accustomed to,
24 and we made an agreement with them that we would
25 supply them the pilots, the licensed pilots if they
26 would not take these other people, use our pilots and
27 we made that agreement and we lived up to it, to a
28 point and they lived up to it right to the letter as
29 far as they possibly could.

30 That was the first step we had with them.



1 English

2 Q. When did that agreement take place?

3 A. Well I couldn't tell you the date now.

4 Q. Well roughly?

5 A. I would say it was around 1954 or
6 1955, sometime in around there. Probably your people
7 would have a better idea.

8 Q. At this stage, from 1954, without
9 being too precise, you had come to an agreement with
10 the Federation representing the ocean shipping industry
11 that ocean ships would use pilots, and your pilots?

12 A. That is right, our licensed pilots.

13 Q. And you say this agreement was
14 lived up to?

15 A. Definitely.

16 Q. What was your position at the time
17 with the pilots?

18 A. I was President.

19 Q. President of what? Was it an
20 Association?

21 A. Of the Pilotage District. We had
22 our own pilotage -- we didn't have a Corporation.

23 Q. It was more or less a friendly
24 association at this time?

25 A. Well yes. In fact as pilots go you
26 could call it friendly.

27 Q. Did you have a written memorandum
28 of Association signed by all pilots?

29 A. We belonged at that time to the Merchant
30 Service Guild off and on. At the time we could have



1 English

2 belonged to the Merchant Service Guild. I don't
3 remember whether we had quitted then.

4 Q. In other words, your Association was,
5 if I may say so, an informal one still at this stage?

6 A. This was licensed pilots.

7 Q. But the Association, the group was
8 informal in its association?

9 A. Yes.

10 Q. Now we have reached 1954 and I would
11 like you to go on from there. Once the ocean ships
12 starting using solely your pilots, the pilots in your
13 Association, how did matters go for the next few
14 years?

15 A. Well we had a problem there too
16 because we would place these sailing masters on these
17 ships above Kingston and at times one would come down
18 the other way and sneak by us so then I had an idea
19 that if I could get control of these lake masters,
20 that they may make one trip down there but that would
21 be it. So I went to them and suggested that they
22 give me the dispatching of these sailing masters and
23 there was quite a bit of opposition to that from these
24 members that had contract pilots hired, you see,
25 for the lake work but I did get the tour de role
26 men, to dispatch them, and I only had one another way --
27 one of them came back down the other way and our
28 pilots missed that trip. That was just once. That
29 is all that happened. So that was an agreement
30 that they had, but that was my agreement. It was not



1 English

2 as President. I did it as I thought in the best interests
3 of the pilots.

4 Q. During the last few years we have
5 been speaking of, say between 1952 that is and 1955,
6 did you have occasion as President of pilots in your
7 District to consult with the Pilotage Authority in
8 Ottawa?

9 A. Yes, we did at that time. All those
10 years we were pressing and pressing for compulsory
11 payment of pilotage dues.

12 Q. When did that start, this pressure
13 on the Pilotage Authority to bring about compulsory
14 payment of dues?

15 A. 1934.

16 Q. It went that far back?

17 A. Back as far as we could remember but
18 we were really pressing for it shortly after I came
19 back from the service and at that time I was told that
20 the Act, the Shipping Act had to be amended before they
21 could do it and they promised us that this Act would
22 be amended; would be possible when the Act was amended
23 for us to have the compulsory payment of pilotage dues.
24 But things move very slow when it comes to that.

25 Q. Now Pilot I want to proceed a little
26 bit faster here. We were told by previous witnesses
27 that there was the first stoppage of work in 1956 in
28 relation to this matter of compulsory payment of
29 pilotage dues. I want to ask you first before dealing
30 with this, were there in the years that elapsed after the



1 English

2 agreement made with the Shipping Federation that you
3 have mentioned, were there any difficulties in your
4 relations with the ocean shipping industry?

5 A. No, none at all.

6 Q. Insofar as the lake shipping industry
7 is concerned, was there any difficulty during these
8 years?

9 A. We never ceased to have difficulty
10 with them and I believe our Committee still is having
11 that trouble.

12 Q. Were the lake ships using pilots?

13 A. Yes. A great number of them at that
14 time were using pilots.

15 Q. Did that create any difficulty insofar
16 as your service to the ocean ships was concerned?

17 A. Yes, many times it left the ocean
18 ships short of a pilot because this pilotage service
BB3 19 was at the convenience of anybody who wanted to use it.
20 With the deep sea ships, we were sure when deep sea
21 ships came along we were going to pilot them, but you
22 never knew that with one of the lake ships. It was
23 depending on, maybe their mate had left, or something
24 like that, and they required a pilot but he still got
25 here first -- if he was here first, he got treated
26 first.

27 Q. Why would the lake ships, if he got
28 there first, be treated first in spite of your
29 agreement with the ocean ship industry to always have
30 pilots for the ocean ships?



1 English

2 A. Well we asked that question too and
3 we are still waiting for an answer.

4 Q. You asked that question to whom?

5 A. They said they wouldn't give us that
6 right at all. They said if the lake ships call for a
7 pilot, he would get a pilot and if there was no pilot
8 available for the deep sea ships -- don't forget, this
9 was not an agreement between the Pilotage Authority and
10 the Shipping Federation. This was an agreement between
11 the pilots and the Shipping Federation. They had
12 nothing to do with that. We had to do that on our
13 own.

14 Q. Now let us come to the year 1956 and
15 the stoppage of work that took place. Will you explain
16 to us what you recollect about that?

17 A. At that time there was a letter sent
18 out to the pilots asking them if they would attend a gen-
19 eral meeting, if it was called and if you did not
20 answer the letter, then it was taken for granted that
21 you did not intend to be there.

22 Q. Were you still President?

23 A. No.

24 Q. When were you replaced?

25 A. Well it was that winter before.

26 Q. So will you proceed and tell us about
27 this letter that every pilot received, and from whom,
28 by the way?

29 A. Well from the Committee.

30 Q. All right, will you proceed and tell us



1 English

2 what happened?

3 A. I talked to one of the Committee who
4 had attended a meeting in Montreal at that time and I
5 had the letter but I didn't answer it. I asked him
6 what they were going to do. They were going to call a
7 meeting. I said okay, for compulsory payment of
8 pilotage? Yes. What if they say no? What are you
9 going to do then? He didn't know.

10 Q. When you say if "they" say no, to whom
11 do you refer?

12 A. The Pilotage Authority. He said
13 well I don't know. I said well you are going to call
14 all these men off the job and you don't know where you
15 are going? Are you going to just for a show of strength?
16 Are you going to stay out until you get it? What are
17 you going to do? I don't know. I said you don't pull
18 me off a job when you don't know where you are going.
19 Always leave an escape behind so you can get out
20 gracefully. You can't do that and say that you have
21 got to have it. It was impossible for the Department
22 of Transport to do it. The Act had to be changed
23 before that could happen. As it was, I didn't go to
24 the meeting. I don't know what transpired at the
25 meeting. I know it didn't last very long. The men
26 came back to work.

27 Q. Now during that period when the
28 stoppage of work took place, do you know what was the
29 stand of the Shipping Federation and the ocean shipping
30 industry with regard to compulsory payment of dues?



1 English

2 A. They were on record long before that
3 and at that time that they supported compulsory payment
4 of pilotage dues for us. It is on record in Ottawa
5 and they had it on our own files too.

6 Q. At that time when this first stoppage
7 of work took place, was there any discussion to your
8 knowledge with pilots as to what effect that stoppage
9 would have on the ocean ships that were taking pilots?

10 A. Well I didn't attend any of these
11 meetings. I wasn't the most popular person in the
12 Pilotage District. I had nothing to do with that at
13 all. I don't know what the discussion was.

14 Q. Now let us go on to the folbwing year.
15 In 1957 you are aware, aren't you, that there was a
16 stoppage of work again from November 6th to November
17 21st?

18 A. That is right.

19 Q. What is your recollection of the
20 events that transpired then?

21 A. Well I didn't go back to work. When
22 I got back to Kingston at that time I was informed by
23 one of the pilots going by in a car at Coteau Landing
24 that everybody was leaving the job, so when I went
25 to Kingston, I didn't go back because nobody called
26 me for a ship. I don't know whether I would have gone
27 back or not. Probably would have. If the Pilotage
28 Authority had of phoned me telling me there was a ship
29 there, I would probably have gone but I didn't and
30 I attended these meetings. I didn't agree with it. It was



1 English

2 illegal. We were striking against our friends; the
3 only people that ever helped us.

4 Q. Who are you referring to?

5 A. I am referring to the Shipping
6 Federation. They were doing all in their power to
7 get us compulsory payment of pilotage dues and the
8 Department said they couldn't issue this and I went
9 to one meeting and I was pretty badly abused at that
10 meeting. Nobody beat me up but they booed me. I had
11 my say and at that time we had our attorney there, I
12 think Mr. Langlois was there and at that time I said
13 I am going to ask you one question and I want you
14 to answer it honestly.

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18 -----
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/TT/RPS 1 English

2 I said if it was possible can they make
3 this a compulsory payment of pilot dues without
4 changing the Act and he said no. He said they can call
5 Parliament, they did when they had the railroad strike.

6 I said, yes, a good comparison. About
7 60 ships up the lake and 90 per cent are lying in the
8 U.S. ports and they are going to call Parliament. That
9 is a kind of foolish answer as far as I am concerned.
10 The economy of the country is not effected at all with
11 the railroad strike. Then, we had this man Johnson.

12 Q. Who is this man Johnson?

13 A. He was the organizer of masters and
14 mates and pilots on the U.S. side. He was the man
15 who was causing most of this trouble.

16 Q. What was he trying to attain?

17 A. He was trying to organize our
18 pilots. The idea was to abolish this District and
19 make it a union. Have an agreement with the shipper
20 which I disagreed very much with.

21 Q. Who was your President at the time?

22 A. I think Chartier was President.

23 Q. Would you proceed and tell us what
24 happened, particularly in relation to the participation
25 of Mr. Johnson in this affair?

26 A. Mr. Johnson promised them a lot of
27 things and I waited around for a while and we got a
28 telegram from the Deputy Minister to go back to work.
29 I figured it was just about time to do it. So, I went
30 back to work. I took a big ship down and started going



1 English

2 up and before I got up they were all back to work.

3 Q. Now, you did two trips during that
4 strike?

5 A. Yes.

6 Q. Were you paid for these two trips?

7 A. No, I lost them but I was quite happy
8 to lose them.

9 Q. What do you mean?

10 A. We went back to work and things
11 started to smooth out a little. I was interested in
12 what the pilots were doing.

13 Q. When you say you lost it, where did
14 the pilotage dues go?

15 A. According to our Corporation By-Laws,
16 if a pilot is not available and trips are made, then
17 he is given that number of trips and not paid for it.
18 I made two trips while the rest were not available.
19 So, they should have been all cut two trips and I should
20 have received that money. But, it didn't happen that
21 way. It is something like 60 pilots.

22 THE CHAIRMAN: Who was supposed to make that
23 adjustment?

24 THE WITNESS: It is supposed to be done with
25 the Pilot Authority. The trips are supposed to be done
26 by them. I imagine it was done by our Committee.

27 Q. You did not get credit for these
28 two trips?

29 A. No.

30 Q. Let us proceed to the events of the



1 English

2 following year, in the spring in 1958 when the sailing
3 masters went on strike and picketed. Have you a recollect-
4 ion of those events?

5 A. Yes.

6 Q. Would you tell us what happened
7 insofar as the pilots were concerned in relation to these
8 events?

9 A. The pilots would take the ships up.
10 But, this picket line was on the pilotage dock at
11 Kingston.

12 Q. Who put up this picket line?

13 A. The lake masters.

14 Q. Had the lakeman or sailing masters,
15 as we call them, any relation with the same Johnson?

16 A He was their head. It was his
17 organization.

18 Q. You were having ships going up to
19 Kingston?

20 A. Not me.

21 Q. There were ships going up to Kingston?

22 A. Our pilots would take them up.

23 Q. What happened to ships downbound?

24 A. They refused to cross the picket line.

25 Q. Had there been any meeting of pilots
26 at the time in connection with the picket line established
27 at Kingston and any decision taken and whether it would
28 be respected or not?

29 A. They were respecting it. I don't
30 know what meetings they had because I didn't attend them.



1 English.....

2 The picket line was respected. I don't know what
3 meetings they had or anything.

4 Q. Did you respect the picket line?

5 A. No. I crossed the picket line.

6 Q. Approximately how many ships did
7 you pilot downbound during the time the pickets were
8 there and no other pilots would take ships down?

9 A. I think it was seven.

10 Q. Do you recall how long the affair
11 lasted?

12 A. 13 days. It may have been six. I
13 don't remember offhand.

14 Q. About 10 days would be about correct?

15 A. Yes. I think it was longer than that.
16 I think it was 13 days.

17 Q. During those 13 days you piloted
18 seven ships down?

19 A. Yes.

20 Q. At that time were you still a member?
21 The Corporation had been formed at that time?

22 A. Yes.

23 Q. Were you still a member of the Corporation?

24 A. I resigned.

25 Q. When did you resign?

26 A. I forget the date. During that time
27 that I sent in my resignation and withdrew my Power of
28 Attorney.

29 Q. It was during the picket affair at
30 Kingston?



1 English

2 A. I am quite sure it was. Not before
3 that. It was during that time.

4 Q. You did the seven trips downbound
5 during that period. What happened to your earnings
6 of pilotage dues you earned during that period?

7 A. They were sending that from the
8 pilotage office to me. I was getting it from the
9 Pilotage Authority.

10 Q. You had sent your resignation and
11 revocation of Power of Attorney to the Pilotage Author-
12 ities?

13 A. Yes.

14 Q. What happened after that with respect
15 to the pilotage dues you had earned after your
16 resignation and the revocation of the Power of Attorney?

17 A. At that time they had come to an
18 agreement and they were back to work. So, I didn't go
19 on further with the case. I dropped it which meant
20 that I was still a member of the Corporation and I had
21 seven trips and I stayed home until the rest made the
22 seven trips, and I came back to work. I was a member
23 of the Corporation. It was perfectly legitimate.

24 Q. You said the pilots went back to work.
25 What do you mean by this?

26 A. Well, at that time the Minister
27 Mr. Hees was the Department of Transport then. This
28 thing seemed to be getting no place, and realized they
29 still wouldn't cross the picket line. The deadline
30 was Thursday, and if this thing wasn't settled by



1 English

2 Thursday that meant they were going to abolish the
3 Pilotage District. They got back together, which I
4 was very happy to see.

5 Of course, I was a member of the Corporation
6 and I had to wait until the others caught up with me.

7 Q. I am not referring to this particular
8 agreement. I am referring to the threat of the
9 Minister to abolish the District. Had that anything
10 to do with the decision of pilots to go back and pilot
11 ships?

12 A. I don't know. I don't know because
13 there were not too many speaking to me. They didn't
14 bring me any information.

15 Q. You have said that the deadline for the ---

16 A. Was set for Thursday.

17 Q. On what day did the pilots return
18 to work?

19 A. On Tuesday.

20 MR. LALONDE: They still had one day.

21 Q. Now, Captain, during the month of
22 June 1958 you were sued by the Corporation of the
23 St. Lawrence Kingston-Ottawa pilots for the return to
24 the pool of a sum of \$3,075, and also you were sued
25 to obtain an order to cancel your resignation as a
26 member of the Corporation and to cancel also the
27 revocation of your Power of Attorney. Do you recall
28 this suit?

29 A. I was surprised they wanted me that
30 bad to start with.



1 English

2 Q. Just a minute, Pilot. I would like
3 you to refer to page 27 of Volume No. 2 of the
4 Memorandum of the Shipping Federation, Exhibit 726.
5 I would like you to look at the declaration that is
6 produced there and confirm that this declaration was
7 the one served on you at the time.

8 A. Yes.

9 Q. At the time this declaration was
10 served on you, you were still a resigned member of the
11 Corporation?

12 A. Yes.

13 Q. This is something you had done in
14 the month of April?

15 A. Yes.

16 Q. While you were thus resigned from
17 the Corporation, you had earned the sum of \$3,075 piloting?

18 A. I was pretty busy.

19 Q. It included the days when no other
20 pilot wanted to take ships down?

21 A. Yes.

22 Q. I take it you were taking practically
23 one ship after the other?

24 A. Just as fast as I could do it.

25 Q. What do you mean by as fast as you
26 could? Were you taking any rest in between ships?

27 A. Rest, I had going back on the train.

28 Q. You were shuttling between Kingston
29 and Montreal?

30 A. Yes.

CC2



1 English

2 Q. So having been paid directly by the
3 Pilotage Authority for those seven trips you have
4 mentioned, you were then sued by the Corporation to
5 remit to the pool?

6 A. Yes.

7 Q. What eventually happened?

8 A. At this time Mr. Lajoie has mentioned
9 this Federation of Pilotage and I felt it was then in
10 the making, this Federation. I was sure that the pilots
11 below Montreal would never accept a man like that.

12 Q. Man like who?

13 A. This Johnson. It was far better for
14 us to be with this bunch of men. Johnson was finished.
15 That was my main objective. We didn't need a U.S.
16 labour leader come over here and tell us what to do.
17 He is gone. I am very happy to be back with the
18 pilots. I didn't want to fight the pilots. I was
19 fighting him. I wanted to see this Johnson out, and that
20 is really out.

21 Q. You made a settlement with the
22 Corporation?

23 A. I withdrew it. I phoned Mr. Lajoie,
24 and said I am not interested in fighting the pilots.
25 And he said: "You are wise."

26 Q. You gave back the \$3,075?

27 A. No. When you get your hands on it
28 you never give it back. I waited until they caught
29 up with me.

30 Q. Otherwise you would not get your share



1 English

2 of the deal while you were still in this position?

3 A. I wasn't doing anything so it didn't
4 matter.

5 Q. Let me try to understand this. From
6 the point of view of turns, the fact you had made
7 seven more trips than other pilots resulted in what
8 so far as your activities were concerned?

9 A. If I had of stayed out of the Corpor-
10 ation, of course, I would have been that many trips
11 ahead of the rest of them. It wasn't my wish. I
12 wanted to be a member of the Corporation. I wanted
13 to be with the pilots. So, I just waited. I have
14 nothing against that at all.

15 Q. In other words you were more or less
16 on holiday until the other pilots caught up with you?

17 A. Yes.

18 Q. A matter of some six weeks?

19 A. Yes.

20 Q. You are still a member of the Corporation?

21 A. Oh yes, definitely.

22 Q. Have you ever been elected since
23 the affairs of 1957, 1958 on the Board of Administration?

24 A. No. Like all other organizations,
25 you are a hero today and you are a bum tomorrow. No,
26 I am not interested, never.

27 Q. Have you participated at all in the
28 activities of the Corporation as such ever since 1957?

29 A. I don't attend too many meetings, but
30 I pay my way.



1 English

2 Q. In what way?

3 A. They take my share out of the pool.

4 I am in good standing with them.

5 Q. You have an election every year, I
6 take it?

7 A. Yes.

8 Q. Can you give us an idea of the
9 background and the selection of those who will be of
10 the rank to be elected? How is it done within the
11 group of pilots?

12 A. They are nominated and elected the
13 same as any other Corporation. There is politicking
14 done. It is normal in the business. They practically
15 know who is going to be there next year. They decide
16 in the summer who is going to be there next winter.

17 You have a group here and you have a group
18 here and a mutual bunch here. It depends which bunch
19 can swing that mutual bunch.

20 Q. That is the way it goes?

21 A. Yes.

22 Q. And this is politics?

23 A. Yes.

24 Q. I see there are records we have
25 obtained here. Apparently there was one group who
26 swayed them for a considerable number of years. One
27 headed by Mr. Charlier from 1957 to 1962.

28 A. I think he broke his hook off the
29 same as I did.

30 Q. You mean to say he is a bum now?



1 English

2 A. He joined me.

3 Q. Is it correct to say, as I stated
4 one day here, that his star is not shining as brightly
5 as it did during the years between 1957 and 1962.

6 A. It could brighten up again. I think
7 mine got a little brighter as time went on. I think
8 he had it the same as I did.

9 Q. Coming back to your experience,
10 Captain, I understand for many years you have been
11 teaching, is that correct?

12 A. Yes, I taught the School of
13 Navigation at Queen's for 10 years.

14 Q. Queen's University?

15 A. Yes.

16 Q. Did you have anything to do with
17 training of pilots in your District?

18 A. No. That has nothing to do with
19 pilots. That is for navigation. Masters home trade,
20 masters inland, and so forth.

21 Q. In your District, I take it, that
22 you are pretty well acquainted with all the pilots
23 that do exercise their profession in your District?

24 A. Yes. Many of them I examined for
25 their pilot's licence -- many of them.

26 Q. You have been sitting on the Examination
27 Board for many years, haven't you?

28 A. That is right.

29 Q. Generally speaking, according to your
30 knowledge, where did they gain their experience to pilot



1 English
2 in your District?

3 A. They gained it as second mate, master
4 on the lake ships. That is where they gained their
5 practical experience and came as apprentices on deep sea
6 ships to get accustomed to the ship. There is a differ-
7 ence between a deep sea ship and a lake ship. The basic
8 idea of handling a ship is still there. It is the
9 different speeds and different things on a deep sea
10 ship. They are handled a little different, but the
11 basic idea is exactly the same.

12 Q. Would it be correct to state that the
13 waters in your District are particularly tricky and
14 require great ability so far as ship handling is
15 concerned?

16 A. I would say that the River work
17 is no different than you find in any other Pilotage
18 District. You find the same between Montreal and
19 Quebec. It isn't like the old channel where you had
20 a channel and had a tree hid behind something. It isn't
21 like that. It is a buoyed channel more or less like
22 a picket fence. It has got to be that way for that
23 draught.

24 Q. What about the canal?

25 A. It is the same as any locks. You
26 have the Welland Canal and the Soo Canal and this canal
27 down there.

28 Ship handling which they learn, they have
29 to be brought up with it. To make a good ship handler
30 you have to bring him up with it. He has to learn many



1 English

2 things. You don't think so, but he goes on as a sailor
3 and he learns where to put the wire and many other
4 things. As a wheelsman he learns to steer and he goes
5 right up the line.

6 Q. Until he becomes a master?

7 A. Until he becomes a mate or master.

8 Q. Is that the way those who practise
9 now in your District were formed as pilots?

10 A. Every one of them. They were all
11 mates and wheelsmen, and second mates and third mates
12 on different ships.

13 Q. What have you to say as regards the
14 efficiency of creating pilots in your District in that
15 manner. Do you agree with this?

16 A. We have proof. Look at the records
17 of these pilots between Montreal and Kingston and
18 compare it with any other Pilotage District in Canada,
19 and see if you can get as good. Isn't that proof enough?

20 Q. I am quite satisfied with it, Captain.

21 Are you at all familiar with the apprentice-
22 ship proposal made on behalf of the Corporation of the
23 District in the brief of the Federation of Pilots?

24 A. I know there is an apprenticeship
25 asked for. I have that brief. They sent it to me.
26 I didn't bother reading it. I am not too interested
27 in it. There is something I don't know -- how they
28 intend to get these apprentices. Where are they coming
29 from, who are they?

30 Q. I can give you a brief detail from



1 English

2 Exhibit 807. It is not, I believe, detailed in the
3 brief itself, and it is suggested that those applying
4 for admission to the Pilotage Service should be a
5 person not less than 16 years of age or more than 30
6 years, able to speak and understand both the French
7 and English language. They it goes on to say:

8 "An applicant for admission to the
9 "pilotage service who has been selected by the
10 "Board of Examiners shall, if he does not
11 "meet the following conditions at a time
12 "of his application for admission serve
13 "for at least twelve months in a grade and
14 "class not lower than third officer on an
15 "inland and coasting vessel trading
16 "regularly through the District, before being
17 "allowed to appear before the Board of
18 "Examiners for issuance of an apprentice
19 "licence.

20 "He shall be the holder of a certificate
21 "of competency of a grade and class not
22 "lower than second mate in inland waters
23 "in Canada."

24 Then it goes on to say a period of apprentice-
25 ship should not be less than three years and shall
26 continue until the apprentice is granted a pilot's
27 licence or withdraws from the apprenticeship.

28 Do you see the picture from the brief
29 outline?

30 A. Yes. Let us look at the man who goes



1 English
2 aboard on a lake ship at 16. That is pretty young.
3 He becomes a deckhand. He has got to show some
4 initiative before he can make watchman, and he is going
5 to have to do something before he makes wheelsman, and
6 from there to third mate, and from there to second
7 mate, and so on. He has got to have something or he
8 will never get there.

9 You take a boy who is 16, you tell him he
10 is going to be a pilot. He sees the way pilots live ---
11 it is a pretty nice living. His goal is set for him
12 before he gets there. As time goes on, that is what
13 I am going to be, all I have to do is stick it out
14 before I get there. To be a master of a vessel you
15 have to have it up there (witness indicating head)
16 before you get there. You tell me that man is better
17 than the man we have sitting there, I can't see it.

18 These men on these lake ships are trained
19 all the time. We say they do not do as much handling.
20 How do you know? Did we pick everyone capable of
21 being pilots off the lake ship? Are all those others
22 not capable of doing it? That doesn't sound reasonable
23 to me.

24 Q. One question in passing. We were
25 told this morning that the master of a lake ship -- and
26 you were master for some time -- has an easy job
27 compared to the pilot. What have you to say?

28 A. Did you ever hear ---

29 MR. LALONDE: My lord, if I recall well,
30 this was never said. This wasn't said. I object.



1 English

2 What was said by the witness this morning
3 was something to the effect that the pilot's job was
4 not more difficult or easy as the captain's. There was
5 no comparison ---

6 THE CHAIRMAN: It was said it was different.
7 Some people might prefer to be a captain than a pilot
8 because the pilot has to be available all the time, at
9 any time of the day, while the other can be regulated
10 by his staff and himself.

11 Q. I think the witness was here and
12 probably heard the statement made this morning.

13 A. I heard talk about the master. You
14 have to be a master before you can really comment on
15 these things. You have got to be a master.

16 Q. You have been a master?

17 A. Yes.

18 Q. What do you think of that job?

19 A. I am a pilot.

20

21

22

23

24

25

26

27

28

29

30



MR/RPS 1 English

2 That is the reason why I am a pilot.

3 THE CHAIRMAN: Shall we adjourn now for a
4 few minutes?

5
6 ---A SHORT RECESS:

7
8 ---FOLLOWING THE SHORT RECESS:

9
10 CONTINUATION OF DIRECT EXAMINATION BY MR.BRISSET:

11 Q. Captain, another recommendation
12 contained in the brief of the Federation, namely, a
13 specific recommendation with respect to the Cornwall
14 District is that special wheelmen be provided for
15 all ocean vessels of more than 3,000 net tons for
16 their passage in the Seaway. Would you tell us, in the
17 light of your long years' experience piloting ocean
18 vessels, how you found generally the wheelmen that
19 you have had to use?

20 A. Well I have found them more or less
21 what you would find on lake ships. You have some
22 excellent wheelmen. You find some that are not too
23 good but you find them all over, not only on deep sea
24 ships. I have no complaint of wheelmen I have had
25 in ships in the River. These men steer, they must
26 steer all the way from Escoumains. I don't imagine
27 these pilots from Escoumains steer the ship to
28 Montreal. They steer that part of the River so there
29 is no reason why they can't steer our part of the River.
30 If a man can turn a wheel, that is all I want because I



1 English

2 tell him what to do. I tell him the direction, the
3 degrees of helm I want on. I point in the direction
4 I want the wheel. He may have trouble understanding
5 my language but when I point, he don't misunderstand
6 me. There was always a third mate or a mate, somebody
7 on the bridge that repeats what I said to him in his
8 own language, if he don't understand the language.
9 Now there is a different thing that you got to consider,
10 when you put wheelmen on these ships, and these
11 wheelmen are sailors and naturally would come under
12 some union and you are only asking for trouble because
13 then you are going to put the deep sea ship in the
14 same category as the lake ship if he has a strike.
15 You are going to tie up everything.

16 Today they don't have that problem. They
17 have problems enough with stevedores without adding
18 this seaman trouble to it.

19 Q. And pilots?

20 A. And pilots, yes, and if they can
21 afford to pay these wheelmen, I wish they would pay
22 it to me. I don't want wheelmen. They get to know
23 more than you do. I have found it many times because
24 I was a special pilot for SCOTT MISENER for a number
25 of years and the least trips I ever made for him in
26 the summer was 118 trips and my trouble was wheelmen.

27 They get to know more than you do. You
28 tell them to put port on. They put on 10 degrees, and
29 you want 20 degrees and they give you an argument about
30 it. I don't want anybody to know more than I do when I



1 English

2 am piloting a ship.

3 As long as he can turn the wheel and he
4 can steer in the River, that is all I am concerned about.
5 Now he steers from Escoumains. He can steer the River
6 for me. I don't want wheelmen.

7 Q. Has it ever happened in your experience
8 that a wheelman that was provided by the ocean ship
9 to steer while you were piloting was not satisfactory
10 to such an extent that you decided to do something about
11 it?

12 A. Yes, and I have asked the mate on
13 watch to change it and he has done it. Co-operated
14 and done it. And I have found that on deep sea ships
15 that if you go aboard and act like a gentleman, they
16 will treat you like one.

17 You got to remember the pressure that the
18 master of that ship is under. He comes into the Seaway,
19 something he has never done in his life before. You
20 come aboard. He don't know whether you are a good
21 pilot or you are a poor pilot or what you are going to
22 do. You have got to inspire a little confidence in him
23 in yourself; make him feel that you are here to do a
24 good job for him. So I don't know, I have never had
25 any trouble with the master. I have had one laddy if
26 the light was close, he could see it and he could steer
27 but if it got so far away, he couldn't see it. I
28 discovered that, his eyesight was bad but they changed
29 the man when I wanted them to.

30 Q. We were told before of many near



1 English

2 misses or even accidents because of poor wheelmen on
3 your ships that you are piloting in your District. Have
4 you ever had any such ---

5 A. Near misses?

6 Q. Yes?

7 A. I think that practically every trip
8 I make is a near miss. I point to port and say starboard.
9 Nobody is perfect.

10 Q. You have?

11 A. Yes. Can you imagine that? I don't
12 agree with that at all. Maybe some people need them.
13 Maybe some people can't tell them the amount of helm
14 to put on but you see on the deep sea ships you run
15 across different types of steering gear. Some are very
16 slow so you must find out just how fast that steering
17 gear is. In some cases you can use 20 degrees of turn
18 and get it back in time. Others can only use 10 and
19 some takes a block and tackle to turn on 20 degrees
20 of wheel. They are so hard. Hard to turn. Our wheels-
21 men are not going to turn them any better than the other
22 fellow, the fellow that is already on there.

23 No, I don't want wheelmen. Maybe some
24 people do, but I don't.

25 Q. Now Captain even though I must
26 admit I have limited experience in navigation, and
27 piloting none at all, I have often heard of this
28 expression used by officers on ships: "I am spotting
29 the ship for the pilots" or for the master, if the
30 master is doing his own pilotage. Is that something that



1 English

2 still is being done?

3 A. Well no, not the master do it. That
4 was in the old canal where the pilot steered himself
5 and he thought nobody else could steer as good as he
6 could. I was one of those people but we did have
7 pilots that kept the man at the wheel and he seemed to
8 go along just as good as we were doing it but I suppose
9 we felt more competent with the wheel and telegraph
10 and the master would stand alongside and line the
11 ship up to the locks; something I couldn't do myself
12 that he could do it but that is all done away with in
13 the new canal.

14 Q. When you are piloting a ship nowadays
15 say a big ocean ship, and you have to make your approach
16 to the wall, say on portside, where will you stand?

17 A. I generally stand right in front of
18 the wheelsman.

19 Q. In the wheelhouse?

20 A. In the wheelhouse until I get close
21 enough -- I can tell pretty close, I would say 10 or 15
22 feet and then I go out on the wing, on the bridge if it
23 is a ship that is quite beamy, you know.

24 Q. When you come up on the wing of the
25 bridge and want to give your orders to the wheelsman,
26 how do you do it?

27 A. There is always a man standing right
28 at the door to relay your orders to the wheelsman.

29 Q. Do you still use the signs that you
30 have indicated to us?



1 English

2 A. As much as possible, yes, because
3 I make too many mistakes by not moving my hands.

4 Q. So you find it is the most efficient
5 way ---

6 A. Well when you point, I have done this
7 and the man at the wheel says you mean starboard don't
8 you? The way I point, I never make a mistake pointing.
9 When I say it I will make a mistake, but never when I
10 point and you pay attention to the way I point but they
11 have drawn my attention to it. You said port Pilot, yes,
12 but I meant starboard.

13 Q. Now you have said that the officer
14 in charge would translate your orders to the wheelsman
15 in his own language when the wheelsman did not under-
16 stand your language. Generally speaking what do you find
17 on board ocean ships, that the wheelsman even though
18 he is a foreigner will understand the words port and
19 starboard?

20 A. Yes. I have heard the mate repeat
21 it in his language and the wheelsman will say it back
22 to me in English. I mean language is not a problem I
23 don't find.

24 Q. In other words, insofar as commun-
25 icating with the wheelsman is concerned you don't
26 feel that language is any difficulty?

27 A. None at all.

28 Q. Port and starboard, in other words
29 are known the world over?

30 A. That is right.



1 English

2 Q. In every country?

3 A. Yes, the amount of helm is different,
4 of course. In some cases they don't know how much helm
5 until the mate tells them. I make sure that when I say
6 10 degrees, that 10 degrees is there.

7 Q. Now I take it that when you proceed
8 through the waters of your District you have to use
9 the radio-telephone quite a good deal?

10 A. No, I don't use it; only when I have
11 to.

12 Q. And when is that?

13 A. Well supposing I left Snell
14 Lock, when I got to the calling in point 6, I tell them
15 I am there. He tells me to call him at 5. I call him
16 at 5. The next time I talk to him is when I am leaving
17 the foot lock, to clear the lock and that is it.

18 Q. What about security calls?

19 A. Well some people believe in those
20 things, you know, but if I can see I don't feel that
21 I have to tell them but there is times when I see --
22 now if I was coming down the Valleyfield Bridge and
23 seen a ship coming up, I will tell him I am approaching.
24 If I don't see any ship coming up, I keep my mouth
25 shut.

26 Q. Pilot when you have to use the
27 radio-telephone, in what language do you communicate
28 with the station?

29 A. Only language that I know. English.

30 Q. Has there ever been, to your knowledge,



1 English

2 difficulties that have arisen because of language over
3 the radio-telephone?

DD2 4 A. Not over the radio-telephone, no.

5 I have seen times that I would like to be able to speak
6 French, love to be able to speak French. I have found
7 no problems with that at all.

8 Q. What is the language used over the
9 radio-telephone?

10 A. Well we have a dispatcher at Beau-
11 harnois that speaks French but I will just call in
12 in English and they will converse in French. That is
13 their language. It is easier for them but when they
14 call in for Snell Lock, they have got to speak English.
15 No choice. Those people don't speak French so it is
16 very necessary that you should speak English and all our
17 pilots can speak English. You can get along without
18 French because I have got along a long long time with-
19 out French but you can't get along without English.
20 He has got to have it.

21 Q. What about the lake vessels, their
22 masters and officers?

23 A. They are mostly English-speaking.
24 I think that -- well you can have all different
25 companies, and you find that the big majority of them
26 are English-speaking people.

27 Q. Have you had any difficulty in your
28 experience communicating with lake ships by radio-
29 telephone using the English language?

30 A. I never had any difficulty. I tell you



1 English

2 I can't speak French.

3 Q. Were you always understood?

4 A. Yes, definitely.

5 Q. Captain I want to go back to the
6 Corporation of your District and particularly to the
7 events in June of 1959 just prior to the official
8 opening of the Seaway. Will you recall when the
9 Queen's yacht was to come into the Seaway in connection
10 with the ceremonies?

11 A. Yes.

12 Q. Who originally had been appointed
13 to pilot the Queen's yacht?

14 A. I had.

15 Q. By whom?

16 A. By the Pilotage Authority. Captain
17 Jones told me I was going to pilot the yacht. I didn't
18 ask him. He told me I was going to.

19 Q. You were still licence No. 1 in the
20 District?

21 A. That is right.

22 Q. Are you aware of the demands made
23 by your Corporation and particularly your President
24 at the time to the Pilotage Authority in June of 1959?

25 MR. LALONDE: Excuse me. Like Premier
26 Lesage I object to the use of the word "demand" in this
27 case.

28 Q. Complaints if you wish.

29 A. I didn't know even they had decided
30 not to use me as the pilot on there. I got it more or less



1 English

2 second hand. The Pilotage Authority never told me
3 that they had changed their mind. Now I piloted
4 Her Majesty's yacht for five years and the BRITTANIA
5 didn't interest me one particle. Anybody could pilot
6 her. They didn't get any medals for doing it. It
7 didn't mean anything. I didn't care about the piloting
8 of it. That wasn't my concern. Peace was reigning
9 in the Pilotage District. I was very happy for that
10 at that time. If they felt it was a great honour to
11 pilot the Queen's yacht, okay, go ahead and pilot her.
12 I piloted many of them.

13 Q. What do you mean you had piloted the
14 Queen's yacht for five years?

15 A. I had four of Her Majesty's ships
16 all during the war so I am not worrying about the Queen's
17 yacht. They were shooting at me out there but they
18 weren't shooting at the Queen's yacht. Probably would
19 have if I had been aboard.

20 Q. Who would?

21 A. Those are thing that, I mean that
22 is among the pilots. I don't want to talk about anything
23 among the pilots. I am a pilot. That is what I want
24 to be. I have my own ideas about what is right and
25 what is wrong and I will stick with them.

26 Q. All right, I won't press you. During
27 the course of the evidence of the Secretary-Treasurer
28 of your Corporation, and the auditor of the Corporation's
29 books, we were submitted financial statements for the
30 years I believe 1960 or 1959, 1960, 1961 and 1962.



1 English

2 Did you attend the annual meeting during these years?

3 A. In 1961 -- the last year I attended
4 the meeting -- you see, these meetings were held after
5 the first of January up until last year. We had one --
6 well they used to be before but I don't stick around
7 here very long. You see, I am all alone and as soon as
8 I am finished, well I just go home long enough to say
9 goodbye, and away I go so I didn't attend those meet-
10 ings.

11 Q. Did you at any time attend a meeting
12 when the balance sheet was presented by the auditors?

13 A. Yes. Well we get that, you know.

14 Q. You get that?

15 A. Take a Philadelphia lawyer to figure
16 it out.

17 Q. You get it when?

18 A. Well it was presented at the general
19 meeting and we had had a copy of it before that and I
20 said to the accountant at the time: Is this the same
21 report that was sent to us? And he said yes. Well I
22 said you better just keep it in your briefcase because
23 I don't -- I don't think any of us know anything about
24 it. You would have to be a chartered accountant.
25 If I was a chartered accountant, I would be in your
26 job, not piloting. I think steps have been taken now
27 that it is going to be more in our own language, that
28 we can see where this money goes but I have no reason
29 to think that these people that are handling this money
30 are dishonest. Not at all.



1 English

2 Q. As you say, it would take a Philadelphia
3 lawyer to understand it.

4 A. To figure it out. I think they take
5 as much off me as they do the others, more or less.

6 Q. Were you also told that the pilots
7 in your District were contributing to an insurance
8 plan? Are you aware of what this insurance plan is?

9 A. I am aware of the one. You see, I
10 believe they have a family hospital insurance plan that
11 the members in Quebec contribute to but they can't sell
12 that to me because I live in Ontario and it is illegal
13 for them to sell that plan in Ontario so what I contribute
14 to I believe is you get so much a month if you can't
15 work or if you are sick. I think that is what it is.
16 I am not even sure of that, to tell you the truth but
17 I think that is what it is.

18 Q. Are you yourself personally at all
19 interested in this plan?

20 A. No. I am not interested in it but the
21 rest are, so I will go along with it. I am not interested.
22 If they gave me a choice, I would say no. I don't want
23 it. Most of these things are decided by the Committee
24 and if they decide that you are going to have this
25 insurance, well you are going to have it I guess until
26 you come 65 and then there is a risk attached to it.
27 Then they don't want you but up until that time -- the
28 rest belong to it and maybe it is a good thing. I don't
29 know. I haven't been sick to cash in on it but I
30 believe some people have cashed in on it and fared pretty



1 English

2 good.

3 Q. Captain are you at all aware of the
4 circumstances that surround the stoppage of work in
5 the District below Montreal in the spring of 1962?

6 A. No, none whatsoever. I seen it in the
7 paper that they were on strike.

8 Q. Were you at all informed by your
9 Corporation or the Board of Administration of your
10 Corporation that your Corporation might have an interest
11 in this strike?

12 A. I don't remember being informed. I
13 don't remember. I may have been because you get so
14 many notices -- you see, we get letters from the Feder-
15 ation. We get letters from the Merchant Service Guild.
16 Take you a week to read them so they may have informed
17 me that there was a stoppage of work but we weren't
18 working. All I was hoping was that the thing would
19 be settled before time for us to go back to work, which
20 it was of course but I don't know the reason why this
21 took place. Now not because I did not have an opport-
22 unity to know, because if I had of been in touch with
23 these people, they probably would have told me but I
24 wasn't and of course they pretty well know what
25 interest I have in it.

26 Q. Now Captain although you told us
27 that you had not read the voluminous brief of the
28 Federation of the St. Lawrence River Pilots, are you
29 nevertheless aware of some of the general recommendations
30 made by the Federation of the St. Lawrence River Pilots on



1 English

2 behalf of all the Corporations of Pilots on the River?

3 A. You mean that they want to take over
4 the operating of the Pilotage Districts and appoint the
5 dispatchers?

6 Q. That is one.

7 A. Yes, I read that.

8 Q. What is your own personal reaction
9 to this as a pilot?

10 A. Well my opinion of that is that if
11 you elect one of these pilots as master pilot, or
12 something to look after this business, and you hire
13 the dispatcher -- now our dispatchers are hired by the
14 Department of Transport and they are paid by the
15 Department of Transport and the pilots cannot fire
16 them and they have a rough time at times.

17 Can you imagine what dispatchers would have
18 if the pilots hired them and paid them? No. It should
19 be that the man that runs the Pilotage District should
20 be independent of the shipping and the pilots too.
21 He should be appointed and be able to say yes or no,
22 and that is something that you cannot get from the
23 Pilotage Authority, yes or no. Maybe, but not yes or
24 no. You have gained something if you get maybe. So
25 if this Pilotage District is to be run the way it should
26 be, you have a man that can discipline the District.
27 I don't mean to hang pilots if they don't do the right
28 thing. I don't mean that but when you are told to go
29 to a ship, you go. You don't question that authority.

30 If you have a complaint to make, make it after



1 English

2 you have made your trip. Come back and complain and
3 if you have got a legitimate complaint, they will listen
4 to you but for the pilots to elect and run this
5 Pilotage District and to hire these dispatchers and the
6 pilot boats and the Corporation too, what a monster
7 you would have! What the cost would be! Look what
8 it cost to run our Corporation now. Add your dispatching
9 service and your teletype service and your boats to
10 that -- back digging ditches and make as much. No,
11 I don't agree with that at all. I don't think the
12 shipping should have anything to say about it.

13 A man that is independent and can make a
14 decision that is fair to both parties. How you are
15 going to pay, I don't know. I am not interested in it
16 but I am certainly not interested -- when I first came
17 into this Pilotage District, we had a Supervisor,
18 L. Willard. All the pilots respected that
19 man. They did not question his decisions. Then we
20 got another dispatcher in there that wasn't too good and
21 then we recommended Mr. Melanson as Superintendent.
22 I gave Mr. Anderson the letter of our recommendation
23 and he said at the time I don't think any man can be
24 that good. He said how we ever missed him I don't
25 know but we put pressure on that man. I mean he had
26 to go along with the pilots because it was through us
27 that he got there.

28 Now that is not a proper thing to do. When
29 you are Superintendent you should be able to say to the
30 man here you do that, and if you don't do it, then you are



1 English

2 disciplined for it. But the way it was, why the
3 pilots made the decisions, made the rules and regulations
4 and the rules and regulations are made for one man.

5 If he gets out of line, we will change the regulations
6 for everybody because he found a loophole in it.

7 So I don't think that pilots or shipping should have
8 anything to do with running the pilotage. That should
9 be independent and no pressure brought to bear on these
10 people from either side and that is the only way that
11 you can run a thing and run it well and then nobody
12 can put pressure -- the interested parties cannot
13 put pressure on those people to do what they like, but
14 do what is fair both to the pilots and to the shipping.

15 Now how you are going to set it up, I
16 have no ideas about it at all or who is going to pay for
17 it, I am not interested. As long as I don't have to
18 pay for it. That is my idea.

19 Q. In other words Captain may I say
20 this for you, that as a pilot what interests you is
21 piloting?

22 A. I am interested in pilotage and when
23 they tell me to go to a ship, I never question it. I
24 go and I do my job. Now I have had it slipped over me,
25 at least I thought I had it slipped over me. He had
26 made a mistake, but he makes a mistake for others.
27 Maybe not so much for the man that keeps good track
28 of them, but I never suffered from it.

29 I mean if I got in an extra trip, or was
30 delayed, I still got my trip but they make mistakes.



1 English

2 You have made mistakes. You have asked a question that
3 you didn't know what the answer was going to be. Every-
4 body makes mistakes.

5 Q. One of the pleasures of life ---

6 A. Sure.

7 Q. --- not to know what is coming. Just
8 one more question which may be the wrong one again.

9
10
11 -----
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/RPS

1 You have said, while giving us your thoughts, that the
2 dispatchers have had a rough time. What do you mean
3 by that?

4 A. Well, I have heard this myself, when
5 the dispatcher tells them when the ship is due, they
6 want to know who has gone out ahead of me, who is coming
7 up behind me, how many more ships tonight. It gives
8 them a rough idea. I never do those things. If they
9 phone and tell me what ship I go to, I don't care who
10 is ahead of me or who is behind me. Many times I get
11 there and the other pilot behind me went ahead of me.
12 The same thing has happened to me. Some people, that
13 gets under their skin easier than others. The dispatcher
14 has a kind of a rough time of it.

15 They are complaining because they didn't
16 get the ship or that ship. Those things happen. That
17 is the job and I got to wait four hours for a ship;
18 everybody waits for hours. Sometimes you don't have
19 to wait. Sometimes you wait six hours. Sometimes
20 you wait all night.

21 Q. As a pilot you have to take the
22 good with the bad?

23 A. That is correct. The sooner you
24 learn to take the good with the bad, the better off you
25 are. It is easier on your nerves.

26 Q. Thank you, Captain, for a very lively
27 piece of testimony.

28 THE CHAIRMAN: Are there any further
29 questions?
30



1 English

2 This would be the first time there will be
3 no cross-examination.

4
5 CROSS-EXAMINATION BY MR. LALONDE:

6
7 Q. Captain, I will try to stick to
8 questions I hope I will know the answers to.

9 I think you mentioned that you had attended
10 at least one or a couple of meetings, general meetings,
11 since 1959?

12 A. Oh yes. I was there last year at the
13 last meeting.

14 Q. You stated that you had not been
15 elected nor interested on having an officer's job in the
16 Corporation?

17 A. Yes.

18 Q. Is it the case, at least, that you
19 were elected election president?

20 A. Of course, that is right. I forgot
21 about that honour.

22 Q. Was the election tricked by you or
23 somebody else?

24 A. I didn't say that, that this election
25 was a trick. I said you have a group for this party
26 and a group here with that party and many other
27 independents between, and it depends on which way they
28 swing. I didn't say the election was fixed. Far be it
29 from me to say that.

30 Q. You said you use your hands when giving



1 English

2 orders to wheelmen at night. Do you carry on this
3 practice?

4 A. Definitely, sure.

5 Q. And the wheelmen can see you all the
6 time?

7 A. Yes, sure.

8 Q. When you are giving commands, are you
9 giving them in degrees?

10 A. Always in the number of degrees. I
11 want to know how much helm they put on and they take off.
12 I want to know that.

13 Q. Do you remember having received
14 bulletins from your Corporation last spring about the
15 reason for the work stoppages and reports of events
16 at that time?

17 A. No. I don't remember seeing them
18 or reading them. I wouldn't say they are not there.
19 If there is a cheque in it I look. If not I throw it
20 away.

21 Q. Were you asked to appear before this
22 Commission and were you told if you would not come in
23 willingly you would be served with a subpoena?

24 A. Yes.

25
26 CROSS-EXAMINATION BY MR. JACQUES:

27
28 Q. I am the Commission Counsel and I
29 do not care what the answers are so long as they are
30 the truth.



1 English

2 We were told by the previous witness that
3 the lake boat masters do their own ship handling in the
4 locks. Is that your experience too?

5 A. I had not had too much experience on
6 lake ships since the Seaway opened. I would imagine
7 that the lake ships -- the master would handle lake
8 ships because they are mates, and that would be doing the
9 River and that sort of thing.

10 Q. Do you know if they would do that
11 when they have a pilot on board?

12 A. You mean handle their own ships?

13 Q. Yes.

14 A. In some cases I guess they do.

15 Q. Before the Seaway opened, did you
16 have occasion to pilot lake ships?

17 A. I was seven years special pilot.

18 Q. Were you a tour de role pilot?

19 A. Yes.

20 Q. Had you occasion to pilot lake ships?

21 A. Yes, lots of them.

22 Q. Those ships, did the master handle
23 them in and out of the lock?

24 A. In the lock. And the pilot did the
25 River.

26 Q. You did the River?

27 A. And the Captain did the handling.

28 Q. You have been teaching at the Navigation
29 School at Queen's. What subject did you teach?

30 A. I taught navigation for a man sitting up



1 English

2 for the master's home trade licence.

3 Q. In view of your experience both as
4 pilot and as ship's master, what would be the best
5 way to train a ship handler?

6 A. Your lake ships are your best way.
7 They are training every day.

8 Q. Do you think that it is possible to
9 train a ship handler by having him on the bridge of a
10 ship and watch manoeuvres done by somebody else, or
11 participate in those manoeuvres?

12 A. On these lake ships they participate
13 in these movements. How did these fellows on lake
14 ships become ship handlers? Count the number of
15 masters that were pilots.

16 Q. Do you think the results would be
17 just as good if you had an apprenticeship system wherein
18 the apprentice pilot would accompany the pilot and
19 watch him handle the ship and participate in ship
20 handling? Do you think that would give a good result?

21 A. The idea is that a man that goes
22 on board a lake ship, he learns from the bottom up. If
23 he has not got it up here, he never gets up. There
24 are many things to learning how to handle a ship. Where
25 to place the water -- he learns that as a deckhand.
26 What pressure would a winch stand, what pressure would
27 wire stand, how fast does the ship have to be going
28 before you can use her, and how slow when you place the
29 wire on -- all those things are concerned with ship
30 handling and it is drilled into him.



1 English

2 He learns as a wheelsman how to put the
3 helm on. He is going to learn most of the work as a
4 wheelsman on those ships.

5 Q. According to you the best way would
6 be, for people to be chosen for pilots to be chosen among
7 actual lake masters, mates.

8 A. A system that has proven itself is
9 far better than something that is not proven. You have
10 proof that these men, that we collected off these lake
11 ships, are capable men that can do the job, and they
12 have proof themselves that they are capable of doing the
13 job. What more do you want than that?

14 How do you know that these lads you bring
15 in who are 16 years old -- if he wants to be a sailor
16 to start with, if he didn't have that big apple sticking
17 up there, would he still want to climb on lake ships --
18 there is no apple on there. For a boy who knows he
19 is going to be a pilot, it is there. All he has to do
20 is climb up and get it.

21 Q. When do you consider that your
22 responsibilities start as a pilot -- at what moment?

23 A. When I go on board the ship.

24 Q. When does it stop?

25 A. When I leave the ship.

26 Q. When you were master, when did you
27 consider that your responsibility started?

28 A. When it started?

29 Q. Yes?

30 A. When I went aboard the ship and when



1 English

EE2 2 I got off the ship at the end of the season.

3 Q. At the end of the season?

4 A. Yes.

5 Q. When you are standing on the wing of
6 the bridge at night making a lock, has it ever happened
7 to you that a wheelsman did not put the number of
8 degrees on the wheel which you ordered?

9 A. Not that I can remember offhand.

10 Q. At night when you are on the wing of
11 the bridge?

12 A. I am not on the wing of the bridge
13 all this time you are talking about. It depends
14 entirely on the ship, what the weather is like. If
15 I can stay in the wheelhouse, I never go on the bridge.
16 If the ship has not a big wide bridge, I don't bother
17 going on the wing of the bridge.

18 Q. When you are on the wing of the bridge,
19 do you check whether your order has been carried out?

20 A. To start with there is a man standing
21 in the door passing the orders to the wheelman.

22 Q. Who is he or what is he?

23 A. He is second mate or third mate,
24 and sometimes you have the chief mate there. In some
25 German ships the chief mate is on the ship. Sure, he
26 may put the wheel the wrong way. If he was a lake
27 wheelsman he wouldn't never do it. Anybody is liable
28 to do that. I have done it myself. That is no question
29 just because he is on a deep sea ship -- that doesn't
30 mean he is going to make more mistakes than a wheelsman



1 English

2 on a lake ship.

3 Q. Has it happened to you that there
4 was a change of man at the wheel when you are making the
5 lock?

6 A. No. If I am in any place where a
7 change should not be made, I tell the man at the wheel
8 don't change, and they don't change.

9 Q. They follow your advice?

10 A. Yes.

11 Q. You said that the dispatcher had a
12 rough time and when you were asked to explain you said
13 that the pilots asked who was ahead and what ships were
14 in the vicinity, et cetera. What do you think is the
15 purpose of asking all these questions?

16 A. Information, I would say.

17 Q. Is it information for safety of their
18 own ship when they are piloting?

19 A. To see nobody is putting it over them.

20 Q. How do you mean, not putting it over
21 them?

22 A. They they went out on their proper
23 turn.

24 Q. When you were in the Navy, did you
25 attend any courses on radio communication?

26 A. On radio communication?

27 Q. Voice.

28 A. No. I don't think they figured I
29 needed it.

30 Q. Since you came from the Lake?



1 English

2 A. Yes. I did take a course in gunnery
3 and those sort of things.

4 Q. I am sure those talents are not
5 required as a pilot.

6 A. It is a good job they didn't require
7 it at sea.

8 Q. Several mentions have been made of
9 small schooners travelling in the Seaway. We were
10 told that sometimes they were a nuisance and sometimes
11 even a danger.

12 A. Did they tell you how they were
13 dangerous?

14 Q. Cutting across the bow.

15 A. I have nothing like that ever happen.

16 Q. Nothing?

17 A. No.

18 Q. Have you had occasion to meet small
19 schooners?

20 A. Yes. I never had any trouble with
21 them.

22 Q. Did you ever have occasion to communic-
23 ate with them by radio-telephone?

24
25 A. Yes. He wanted to go from St.
26 Lambert to Cote Ste. Catherine's. He understood I
27 didn't want him to pass.

28 Q. Over the radio-telephone?

29 A. Yes.

30 Q. What language was used?



1 English

2 A. I only understand English. I don't
3 understand French at all.

4 Q. The recommendation made by the
5 St. Lawrence River and Seaway Pilots reads as follows:

6 "That the St. Lawrence Seaway furnished
7 "linesmen along the approach wall in order,
8 "as we were told, to do away with the use
9 "of landing booms."

10 What is your experience with landing booms?

11 A. My experience is that there should be
12 some way of getting lines ashore. You start off with --
13 you have got ships that have never come up before drawing
14 about five feet forward and five feet aft and sticking
15 50 feet in the air, and you have a man sticking out on
16 the landing boom scared to death. You are scared too
17 because you don't know whether he is going to make it
18 or not. There should be some way of doing that.

19 There are occasions when you see
20 in the St. Lawrence Seaway -- you have St. Lambert Lock
21 which is north and south, and you make a 70-degree turn
22 to Cote Ste. Catherine's Lock and you are heading more
23 or less east and west. If the wind is on the wall you
24 have no problem then. That is the prevailing wind.
25 That will happen nine times out of ten. When you get
26 into St. Lambert Lock, there is no problem getting
27 alongside the wall on Cote Ste. Catherine's Lock. It
28 is when the wind is off the wall you are liable to
29 have trouble. It don't take much wind to blow this.

30 Q. You are referring to deep sea ships?



1 English

2 A. Yes. Lake ships are the same. They
3 are sticking up in the air. We do not know their
4 problems. They seem to work it out all right. The
5 men are more used to get off and on than a man who has
6 never done it before.

7 If the wind is on the wall you have all
8 day to get your lines out. It would be on the wall nine
9 times out of ten times. If there could be some
10 arrangement made like you have in the Snell and
11 Eisenhower Locks. This is something that I have
12 experienced. I come in there with a ship and they were
13 standing on the wall waiting to take my lines because
14 they thought I was in trouble.

15 I hear to make a dock, and the wind was off
16 the wall and you call the dispatcher to get a couple
17 of men to take his lines he said: "We will have to
18 call the Superintendent first". He could have been
19 blown over to the Lower Beauharnois Canal.

20 Q. To which Superintendent do you refer?

21 A. The Superintendent of the canal.
22 20 minutes after, he had permission to go down and get
23 the lines. If the wind is on the wall you have no
24 problems. They stay there until you can lasso them
25 yourself.

26 Q. Recommendation No. 5 reads as follows:

27 "That any ship exempt from compulsory
28 "pilotage be required to take a pilot during
29 "its first few trips in the District."

30 This was amended to read, when it is the master



1 English

2 who first comes into the District, not the ship herself.

3 Do you understand?

4 A. Yes, I understand what you mean.

5 Q. What are your views? This is directed
6 towards small coasting vessels?

7 A. Can they afford it to start with?
8 You are talking about these little schooners?

9 Q. Below 250 tons.

10 A. I don't know. If I owned her I'd
11 say no.

12 Q. As a pilot?

13 A. Of course I am just as hungry as the
14 rest of them.

15 Q. This wasn't designed to increase the
16 revenue of pilots but we are told that this is a measure
17 of security in order to insure that the masters of
18 these small ships are thoroughly familiar, or a certain
19 degree familiar with the procedure and with the
20 handling of ships and currents in the Seaway.

21 MR. LALONDE: The witness should be told
22 whether this was proposed for the first or second time
23 the ship came into the Seaway.

24 MR. JACQUES: I said few trips.

25 A. I would not like to comment on that.

26 Q. Recommendation No. 6 we will skip.

27 Bridges across the Seaway, that the signal
28 system be coupled with a radio-telephone service to
29 the Caughnawaga, St. Louis and Valleyfield bridges. The
30 present system of bridges is insufficient and pilots



1 English.

2 should be able to communicate from a distance with
3 responsible persons at these bridges. A system there
4 is if you call up the dispatcher and he gets in touch
5 with the bridge, he has a telephone to the bridge. You
6 mean put a radio-telephone on these bridges so you can
7 talk to the bridge?

8 Q. Yes.

9 A. It would be all right.

10 Q. Would it facilitate your work?

11 A. I don't think so. Maybe you would
12 feel better if they told you they were going to open the
13 bridge.

14 Q. Do you have occasion to use Cardinal
15 radio-telephone station?

16 A. It is lousy.

17 Q. You would recommend a change of some
18 kind?

19 A. I certainly would. A booster station
20 or something.

21 Q. Have you ever had occasion to handle
22 bridge-aft ships?

23 A. Oh yes. I sailed one for five years
24 with the bridge way back.

25 Q. Did you encounter any difficulties
26 in handling this type of ship in the Seaway?

27 A. None at all. I prefer them in fact.

28 MR. JACQUES: Thank you.

29 THE CHAIRMAN: Is it more difficult to
30 handle with the bridge aft?



1 English

2 THE WITNESS: It is all you get used to.

3 Our men seem to have no trouble at all with them.

4
5 FURTHER CROSS-EXAMINATION BY MR. LALONDE:

6
7 Q. When first you were proceeding in the
8 old canal, did you happen to use two pilots once in a
9 while aboard ship?

10 A. Yes.

11 Q. What was the reason for that? Was
12 this regular first of all?

13 A. No. We had them thinking they needed
14 two pilots.

15 Q. Did it happen that the second pilot
16 was the apprentice at the time the one aboard only
17 acted as a wheelsman aboard the ship?

18 A. Not in my case. He didn't learn much
19 with me.

20 Q. How is it that if the Shipping Feder-
21 ation and the pilots were all in favour of compulsory
22 payment in 1937 or 1934, you couldn't get it until 1960
23 or so?

24 A. We had some pretty stiff opposition
25 with the Canadian lake shippers.

26 Q. Is that where the opposition came
27 from?

28 A. Definitely. They are fighting for
29 something and we were fighting for something. They beat
30 us that long and with perseverance we got something.



1 English

2 Q. If I understand you well, there were
3 general meetings in 1956 but there was no strike at the
4 time. My friend Mr. Brisset questioned you about 1956.

5 A. That was the first time they went to
6 a meeting.

7 Q. Was there a work stoppage at the time?

8 A. 1956?

9 Q. Wasn't that the first year? Wasn't
10 it 1955?

11 A. No. I don't know.

12 Q. Who was President at the time, do
13 you remember?

14 A. John Marchand, I believe.

15 Q. The Shipping Federation was very
16 worried about what was happening to you because the
17 Shipping Federation is not aware as to whether other
18 disciplinary measures were taken by the Corporation against
19 this particular pilot. The context obviously refers
20 to you. Was there any discrimination or any disciplinary
21 measures taken against you after you settled the law
22 suit?

23 A. How do you mean?

24 Q. Was there any disciplinary measure,
25 discrimination or anything?

26 A. Oh no. No.

27 MR. BRISSET: Just a forced holiday?

28 THE WITNESS: Yes, just a holiday.

29 Q. Which you took on your own?

30 A. Why certainly.



English

Q. You said you had not read the brief of the Federation of Pilots, is that right?

A. Yes.

Q. How did you hear about the project that the pilots would take over the administration?

A. I was told by other pilots. We hold our little meetings, you know.

Q. Were you aware that the decision of compulsory payment of pilotage dues could have been done without an amendment to the Canada Shipping Act?

A. No.

Q. You were not aware of that?

A. No.

THE CHAIRMAN: Are there any further questions of Captain Downey?

Thank you Captain.

We are going to adjourn until tomorrow morning at 10:00....

---WHEREUPON THE HEARING ADJOURNED UNTIL 10:00 A.M.,

THURSDAY, THE 12TH DAY OF

DECEMBER, 1963.

* * *

ROYAL COMMISSION

ON

PILOTAGE

HEARINGS

HELD AT

MONTREAL

VOLUME No.:

DATE:

92 A

DEC. 12 1963

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TORONTO

364-5865

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ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing
held at the International
Aviation Building, Montreal,
Quebec on Thursday, the 12th
day of December, 1963.

COMMISSION :

The Honourable Mr. Justice Bernier	Chairman
Robert K. Smith	Member
Harold A. Renwick	Member
Mr. Gilbert Nadeau	Secretary

COMMISSION COUNSEL:

Mr. Maurice Jacques

PRESENT:

Mr. J. Richards	for the Canadian Merchant Service Guild
Mr. J. Brisset, Q.C.	for the Shipping Federation of Canada
Mr. C. Mason	for the Dominion Marine Association
Mr. Marc Lalonde	for the Federation of St. Lawrence River Pilots; Corporation of the Lower St. Lawrence Pilots; the Corporation of the Montreal Harbour Pilots; the Corpor- ation of the Mid-St. Lawrence Pilots; the Corporation of the St. Lawrence River and Seaway Pilots; the Corporation of the Upper St. Lawrence Pilots.



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Montreal, Quebec
Thursday 11453
December 12th, 1963

MR/RPS 1 French

2 ---ON COMMENCING AT 10:00 A.M.

3 (THROUGH THE INTERPRETER.)

4

5 CAPTAIN BISSONNETTE, Re-Sworn

6

7 DIRECT EXAMINATION BY MR. LALONDE: (CONTINUED)

8

9 Q. Mr. Bissonnette, Captain Davis
10 explained before this Commission that the place for
11 loading and unloading in the Kingston Harbour, or for
12 embarkation and disembarkation, Exhibit 646 and also
13 the previous exhibit. Would you like to turn to the
14 relevant chart please on the board?

15 Would you like to tell the Commission whether
16 disembarkation and embarkation still take place at the
17 same place in your District please?

18 A. I don't think so. It may happen
19 under certain circumstances going upstream from Kingston
20 but most of the time the pilot would leave here at
21 the former station for embarkation and disembarkation.

22 Q. And this is marked with a red circle
23 in this Exhibit, is that so?

24 A. That is so, and just facing the
25 Kingston Harbour. Now embarkation takes place at
26 Snake Island or slightly towards the east of Snake
27 Island. That is buoy 63T.

28 Q. Would you like to draw a blue circle
29 at the place where embarkation would take place at
30 present? Would you like to indicate the same on the



1 French

2 subsequent exhibit. Would you like to turn the page
3 please, to Exhibit 465? Would you like to draw a blue
4 circle with the letter "C" in the centre of the circle
5 please? Does embarkation take place there for the boats
6 going upstream and also for the boats going downstream?

7 A. The majority of the ocean-going
8 vessels going upstream have the right to go towards
9 Kingston only when they are going towards one of the
10 Kingston Harbours but when a boat goes downstream towards
11 one of these harbours, at that time the pilot embarks
12 here at Snake Island, or a little towards the east
13 of Snake Island.

14 Q. Thank you.

15
16 CROSS-EXAMINATION BY MR. JACQUES:

17
18 Q. When you embark on a ship in Kingston
19 to go downstream, do you take the Wolfe Island Passage?

20 A. Yes, if the draught is appropriate.

21 Q. If the draught is not adequate, then
22 you go around and you go down through Alexandria Point,
23 and so on?

24 A. That is exact. The majority of ships
25 which will take general cargo in Kingston, will have a
26 draught of 20 or 21 and then automatically the channel
27 is enough.

28
29 CROSS-EXAMINATION BY MR. BRISSET:

30 Q. When embarkation or disembarkation



1 French

2 takes place at buoy 63T near Snake Island, how does
3 the pilot go to that place if he leaves either from
4 Kingston or from Cape Vincent on the American side?

5 A. In most cases the pilot will take
6 a pilot boat from Kingston. The Association of Pilots
7 at Cape Vincent is responsible for the pilot boat and
8 the pilot boat of Kingston is being given as a sub-
9 contract to Mr. Dougan.

10 Q. The pilot, therefore, will go to
11 Kingston or will come from Kingston if he embarks?

12 A. Yes, that is exact.

13 THE CHAIRMAN: Any other questions to
14 Captain Bissonnette? Thank you Captain Bissonnette.

15
16 MR. JACQUES SAUCIER, Re-Sworn

17
18 DIRECT EXAMINATION BY MR. LALONDE:

19 Q. Mr. Saucier I believe you are
20 Secretary Treasurer of the Corporation of the Upper
21 St. Lawrence Pilots?

22 A. Yes.

23 Q. Since when are you the Treasurer of
24 this Corporation?

25 A. 1962.

26 Q. Since the setting up?

27 A. Yes, since the incorporation.

28 Q. As the Secretary-Treasurer are your
29 functions similar to that which you fulfil in the

30 Montreal Harbour and with the Corporation of the St. Lawrence



1 French

2 Seaway about which you have already given evidence?

3 A. That is correct.

4 Q. I would like you to refer to the
5 By-Laws of the Corporation of the Upper St. Lawrence
6 Pilots. A number of questions have already been
7 tabled or put by Mr. Brisset to Mr. Bissonnette and I
8 shan't come back to them. However, I take note of the
9 fact that there are various articles concerning the
10 Board of Directors. Would you like to tell the
11 Commission are regular meetings of the Board of
12 Directors held?

13 A. Once a month there is a meeting of
14 the Board of Directors.

15 Q. How many members?

16 A. Five directors.

17 Q. There is a document entitled:
18 "Corporation of the Upper St. Lawrence Pilots." The
19 first reference 1961, and then 1962 and then 1963.
20 Would you like to explain the document to the Commission,
21 the contents of this document?

22 A. 1961 the group of the Upper St.
23 Lawrence was merged with the Corporation of the Upper
24 St. Lawrence and Seaway Corporation and in 1962 there
25 was a final splitting up between both Corporations.
26 In 1961 both Corporations were merged in a single
27 one and then the Corporation of the Seaway had two
28 sections which were totally different.

29 Q. Were there two Committees?

30 A. Yes, two Committees. These Committees



1 French

2 were the Upper Section and the Committee for the
3 Lower Section with only one Board of Directors; three
4 members from the Seaway, from the Lower Section and
5 two members for the Administration Office in the Upper
6 Section.

7 Q. In your document did you have a
8 list of the Directors since the beginning?

9 A. That is correct.

10 Q. I think that there is a statement
11 here. Would you like to read it?

12 A. On January 12th 1962 the Corporation
13 requested its admission as a group member of the
14 Federation of the St. Lawrence Pilots. This is correct.

15 Q. This was taken in minutes?

16 A. That is correct.

17 Q. I would like to file this as Exhibit
18 No. 853.

19
20 ---EXHIBIT NO. 853:

List of the members of
the Board of Directors
of the Corporation of the
Upper St. Lawrence Pilots
since 1961.

21
22
23 Q. Do you have a minute book of these
24 meetings?

25 A. Obviously.

26 Q. Are the minutes approved by the
27 subsequent assemblies?

28 A. Yes. They are accepted at each and
29 every meeting.

30 Q. Do the Directors get any fees?



1 French

2 A. During the winter season they get
3 \$15 per day plus travelling expenses and in the summer
4 time they only get their travelling expenses paid plus
5 their toll per trip.

6 Q. You said half a turn per day. Are
7 there other members represented on your Board of
8 Directors? Are the licensed pilots in the Kingston
9 District members of your Corporation or the Canadian
10 ones, of course?

11 A. Yes, all of them.

12 Q. Do you have regular annual meetings?

13 A. Yes, annual meetings and special
14 meetings; extraordinary meetings before the opening
15 of the traffic.

16 Q. When you have extraordinary meetings
17 do you have once a year?

18 A. Each year in April, before the
19 opening of the traffic, to keep the members informed
20 about the deliberations which have taken place in the
21 course of the winter.

22 Q. Do you report to the assembly about
23 the activities of the Board of Directors during the
24 year?

25 A. All the minutes of the Board of
26 Directors are read out during the early meetings and
27 they cover the whole year.

28 Q. I would like to draw your attention
29 to paragraph 64 of the brief submitted to this Commission
30 by the Federation of St. Lawrence Pilots indicating the



1 French

2 presence of the members of the Corporation to the
3 annual meeting in 1961, 1962, sixteen to twenty-one
4 in 1962. Are these figures exact for 1961 and 1962?
5 Twenty-three over twenty-four for 1961 and sixteen
6 over twenty-one for 1962, page 120 of the text. Is
7 that correct?

8 A. Yes, this is correct, page 120 in the
9 English text.

10 Q. Are you also members of the
11 Canadian Merchant Service Guild?

12 A. Yes.

13 Q. Since the beginning. I think there
14 is a guaranteed remuneration of \$10,000 for the Secretary
15 Treasurer. Do you have such a guarantee?

16 A. No, we do not have such a guarantee.

17 Q. Now By-Law No. 2 we note that there
18 should be a Power of Attorney; the Board of Directors
19 may request a Power of Attorney from any member of the
20 Corporation. Do you demand such a Power of Attorney?

21 A. Yes, all the members sign it.

22 Q. I am going to show you a document.
23 I would like you to tell me if this is the Power of
24 Attorney that has been signed by the members of the
25 Corporation when they have asked to become members
26 of the Association?

27 A. That is correct.

28 Q. This is a list of the pilots asking
29 to become members of the Corporation of the Upper
30 St. Lawrence, June 1961. This has been certified by



1 French

2 yourself?

3 A. That is correct.

4 Q. Is that a complete list of the
5 pilots who have asked to be admitted as members in
6 1961?

7 A. The list is complete.

8 Q. Another document is entitled:
9 "List of Pilots of Upper St. Lawrence, Power of Attorney
10 '61." Is that a list of all the members of the
11 Corporation?

12 A. That is correct.

13 Q. And has the Power of Attorney been
14 transmitted to the Pilotage Authority?

15 A. That is correct.

16 Q. I am going to file these documents
17 in a bundle as Exhibit 854.

18
19 ---EXHIBIT NO. 854:

Power Of Attorney concern-
ing the payment of pilot
dues to the Corporation
of the Upper St. Lawrence
River. List of pilots
having signed this Power
of Attorney and list of
pilots, members of the
Corporation of the Upper
St. Lawrence Pilots in
June 1961.

20
21
22
23
24
25
26 Q. You have mentioned that your organ-
27 ization is a member of the Federation of the St. Lawrence
28 Pilots since the beginning. How many member delegates
29 do you have in the Federation?

30 A. Two, or maybe three. One member per



1 French

2 ten. You have the list. Therefore, it is three members
3 I believe.

4 Q. I show you a document entitled:
5 "Corporation of the Upper St. Lawrence Pilots member
6 delegates to the Federation." This has been signed
7 by yourself and certified by yourself?

8 A. Yes, that is correct.

9 Q. Is that the complete list of delegates
10 for 1962 or 1963?

11 A. That is so. Three members therefore.

12 Q. I would like to file this document
13 as Exhibit 855.

A2 14
15 ---EXHIBIT NO. 855: List of the member
16 delegates to the Federation
17 of the Corporation of the
Upper St. Lawrence Pilots.

18 Q. Would you like to explain briefly
19 to the Commission how the joint or common fund operates
20 in your Corporation?

21 A. As for the other Corporations, any
22 pilot who is in the average of turns is paid according
23 to the average obtained and the pilot who has one turn
24 lower than the average of pilots is paid for this turn
25 made.

26 Q. I am sorry, I missed your last sentence.
27 Could you repeat it?

28 A. I would like you to ask the question
29 please.

30 Q. How do you apply the By-Laws?



1 French

2 A. I think it is like for the Corporation
3 of the Harbour. Nobody has ever been absent. I think
4 in the By-Laws it is said one turn, or two turns below
5 the average.

6 Q. But you have not had to apply the
7 punishment provided under the terms of the By-Laws?

8 A. No.

9 Q. I would like to draw your attention
10 to Article 7, By-Law No. 2.

11 A. Any member having made, since the
12 last preceding distribution, the number of turns at
13 least according to the average number made by the pilots
14 who have been constantly on duty during such period,
15 shall participate equally in the distribution.

16 a) Shall all participate in any distribution
17 which takes place between the opening of the
18 navigation season and October 31st inclusive
19 in any year. Any member who has not made
20 the number of turns provided for in paragraph
21 A of the present Article, but whose number
22 of turns since the opening of the navigation
23 season is inferior by less than two turns
24 of the average number made by the pilots who
25 have been constantly on duty during the
26 same period, sub-paragraph B -- sub-paragraph
27 7, shall also participate equally in any
28 distribution which takes place between
29 the 1st of November in each year and the
30 end of the navigation season. Any member



1 who has not made the number of turns provided
2 in paragraph E of the present Section, but
3 whose number of turns made since the opening
4 of the navigation season is not more than
5 one and the average of turns made by the
6 pilots who have been constantly on duty
7 during the same period.

8 Q. It seems that you are half correct
9 in your first answer. It seems that between the 1st
10 of November and the end of the navigation season they
11 shall be paid equally if they are not lower than one
12 turn below the average and after that, if they are not
13 lower than two turns below the average?

14 A. That is so.

15 Q. Do the Directors give you detailed
16 expense accounts for all their meetings?

17 A. Yes, for each and every meeting.

18 Q. Do they have to fill out documents
19 or forms similar to the one which you have already
20 tabled as No. 799 concerning the Harbour of Montreal?

21 A. It is identical to that form.

22 Q. I note that at the beginning of the
23 brief submitted to this Commission by the Federation
24 of the St. Lawrence Pilots it is stated that the
25 Corporation have sent in the text of the proposals
26 to the members of their Corporation. Did you send out
27 such recommendations to your members before they
28 appeared in this brief?

29 A. Yes, we have asked the opinion of
30 all the pilots; of each and every member of our Corporation.



1 French

2 Q. Did you have replies which were not
3 in favour of these recommendations?

4 A. No, none.

5 Q. Is there an insurance plan for the
6 members of your group?

7 A. Yes.

8 Q. Is it similar or identical to the
9 one about which you have already given evidence concerning
10 the St. Lawrence Seaway and the Montreal Harbour pilots?

11 A. Yes, exactly.

12 Q. My colleague Mr. Brisset asked you,
13 I believe, to supply certain information, particularly
14 a copy of the main policy. Do you have it with you?

15 A. Yes, it has already been filed.

16 Q. I believe there is also other
17 information which was requested from you concerning
18 the Corporation of the St. Lawrence River and Seaway?

19 A. Everything has been filed.

20 THE CHAIRMAN: I have here the number of
21 turns of Mr. Downey at the end of 1957. It says
22 number of turns. This is the only exhibit, it has not
23 been filed but I have got it here and also the number
24 of turns registered in 1958.

25 THE WITNESS: For the Directors it has
26 already been filed.

27 Q. Would you like to explain the nature
28 of the exhibits concerning Mr. Downey please?

29 A. I would like to file, in the first
30 place, an excerpt from the minutes of the year 1956.



French

I have to start back in 1956 in order to explain what happened in 1957. In 1956 we have here an excerpt of minutes that all pilots finishing their season of navigation with more than one trip above average be credited with those trips to start the next season of 1957 with.

(THROUGH THE INTERPRETER.)

Which means that at the outset of the navigation season in 1957, all those who were one turn above the average were credited for these turns so they started at the beginning of the navigation season with turns already to their credit, so at the outset of the year 1957 a few pilots were credited with turns, amongst whom Mr. Downey who received eight turns and a half before starting the navigation season of 1957 and each year Mr. Downey always gives me a complete list of all his vessels and the money given to the pool and the number of his turns. I want to produce this list of Mr. Downey who at the end of 1957 received or had 50 turns accomplished less "credit 1956 eight turns and a half" and with the 50 turns accomplished it gave him 58 turns and a half for the year 1957. In January 1958, one month after the season of 1957 ended the Board of Directors adopted the following resolution giving the value of the turn and also the average of turns in the course of the year and the excerpt of the minutes reads as follows:

"It has already been decided unanimously

"to pay pilots according to the turns accomplish-



English

"ed for above and below the average. Insofar
"as those are concerned they will have to
"be paid according to the average of turns
"performed. All the Directors, after having
"computed the turns of each and every pilot,
"reached the unanimous conclusion that the
"average of turns for the year 1957 was
"58 turns and that the value of turns in
"money, all expenses of administration
"being deducted from that, were \$160.31
"per turn. It has been asked the Secretary
"as the amount for each pilot has been
"calculated to credit the amount of \$110
"each including the expenses brought about
"by the stoppage of work as well as the
"legal fees incurred in the course of the
"year."

French

I would like to produce this text,
and this was upon the request of Mr. Brisset I have to
give the wages, the salaries and the exact amount
received for Mr. Downey in the year 1957 and I made
a table of Mr. Downey for the year 1957, average of
turns '58, net value in money \$160.31 which gives a
total of \$9,297.98. This is the amount that each pilot
receives for the year in 1957. Now the details, or the
breakdown indicates for Mr. Downey a cheque dated --
well from May 15th to December 30th Mr. Downey received
\$7,975 and here we have correspondence. Mr. Downey
explained that yesterday for the turns that he had



1 French

2 performed during the stoppage of work, two turns which
3 represented \$250. There was a small trip with the tug
4 and according to the Corporation Mr. Downey owned
5 \$559. We wrote to Mr. Downey and at that time Mr.
6 Downey did not want to give the money to the Corporation.

7 Through a resolution the Directors then
8 decided to stop all payments to Mr. Downey at December
9 30th so as to allow the lawyers to reach a settlement
10 in this conflict, because it had already reached a
11 legal stage and on April 12th the balance still owing
12 to the pilots for the year 1957, because as you know
13 the system is improving. Four or five years ago the
14 pilots were being paid pilotage dues for 1957 in 1958,
15 1959 or 1960 and collection was not done as well as
16 is the case today, so in 1958, April 1958 we sent a
17 cheque to the amount of \$66.68 to each and every one
18 on the balance owing in 1957. We sent it also to Mr.
19 Downey and on April 15th 1958 the Directors had decided
20 to keep the amount that Mr. Downey owed the Corpor-
21 ation and to send him the difference in order to complete
22 that year so we sent to Mr. Downey a cheque to the
23 amount of \$462.30 and we kept \$559 which was the amount
24 owing the Corporation by Mr. Downey.

25
26
27
28
29
30



/TT/RPS 1 French

2 But in July. It was still July 1958. We
3 still had the collection of 1957 which was not finished
4 and finally we got it, and July 12th for the year 1957.
5 We sent to all pilots as well as Mr. Downey and another
6 account of \$100. The total amount, well, we had to
7 deduct an addition -- we had to deduct \$110 for expenses
8 which gave us a total of \$9,272.98.

9 Q. For Mr. Downey?

10 A. To everyone who was still expecting
11 \$25 that year, 1957.

12 Q. What does this mean?

13 A. Those are refusals that have not
14 paid yet and companies gone bankrupt. This was a good
15 year because pilots lost \$25.

16 Q. Could you please file all these
17 documents as Exhibit 821.

18

19 ---EXHIBIT NO. 821: List of number of trips and monies
20 turned into pool for 1957,
G.N. Downey.

21

22 THE CHAIRMAN: We will have to add the
23 description of Exhibit 821 and additional documents.

24 Are there any questions to be put to Mr.
25 Saucier?

26

27 CROSS-EXAMINATION BY MR. BRISSET:

28

29 Mr. Saucier, all these explanations that
30 you have just given us regarding Mr. Downey and of his



1 French

2 wages for the years 1956, 1957 and 1958, were they
3 paid in the same way as you indicated?

4 A. Yes. And the documents prove it.

5 Q. Do you think that Mr. Downey was
6 explained that?

7 A. I explained that to Mr. Downey
8 the way I told you and there was no objection on his
9 part.

10 Q. I notice you have deducted from his
11 income for the year 1958, as was the case for all other
12 pilots, \$110 in order to cover legal fees?

13 A. Not only for legal fees.

14 Q. And also strike costs. When you
15 mention legal fees or legal costs he has, you mean
16 the legal costs in the case of the Corporation who was
17 suing Mr. Downey?

18 A. Not only that but I indicated that
19 it was legal cost covering the whole year. But, of course,
20 what you mention was part of it.

21 Q. In other words, Mr. Downey contributed
22 to the costs, the legal costs in this case against
23 himself?

24 THE CHAIRMAN: But did not contribute
25 in the costs paid by Mr. Downey.

26 Q. A comment has been made to the effect
27 that Mr. Downey lost. Would you please correct the
28 impression that was left with the Commission and say
29 with me that Mr. Downey decided not to contest.

30 A. Well, he arranged all legal procedures.



1 French

2 Q. Do you say, Mr. Saucier, as Mr. Downey
3 explained to us yesterday that in order to reach the
4 same average in turns as the other pilots for the year
5 1958 he had to withdraw for six weeks?

6 A. Well, this wasn't due to the stoppage
7 of work. This was one of his own proposals during the
8 general meeting in 1956 allowing all those who were
9 one turn above average to take the credit on turns and
10 go on legal absence for a holiday. So, I would say a
11 few pilots, four or five pilots, took advantage of that.

12 Q. Do you want us to believe that the
13 resolution adopted, that Mr. Downey foresaw what would
14 occur in 1958?

15 A. No sir, not at all.

16 Q. Mr. Saucier, you told us that specific
17 recommendations of the Corporation for your District
18 contained in the brief of the Federation have been
19 handed out for study of your District pilots?

20 A. Yes.

21 Q. You did not get any unfavourable
22 reaction? Did you receive answers from all pilots?

23 A. No. A few of them did not answer
24 and a few of them congratulated us. Others besides
25 congratulating us approved the recommendations and
26 even suggested further recommendations. But the
27 Board of Directors did not find it necessary to include
28 them in this brief.

29 Q. Could you please tell us how many
30 pilots did not answer out of the 21 pilots?



1 French

2 A. I would prefer you to ask me how many
3 of them answered. Our letter was quite direct. If they
4 had an opportunity, we had asked the pilots to give us
5 suggestions and to inform us on anything else, but
6 nobody was forced to answer us.

7 Q. I might understand the majority of
8 them did not answer?

9 A. That is correct, because they were
10 satisfied.

11 Q. You have filed as Exhibit 854 the
12 form of Power of Attorney which was supplied by the
13 pilots of your Corporation in favour of the Corporation
14 solicitor, a list of pilots who were asked for member-
15 ship and also the list of those who signed that
16 Power of Attorney.

17 Could you please explain to me why the
18 Power of Attorney was signed in April 1961 and the
19 membership form was signed in June 1961 and the
20 Corporation was incorporated in August 1961?

21 A. In 1961, at the beginning of the year
22 1961, the two sections still having merged and having
23 two members of the Upper Section as members of the Board
24 of the Corporation of the Seaway Pilots, they asked
25 for letters patent in Ottawa, and before the letters
26 patent were accepted we saw to it that the Power of
27 Attorney was signed. That is why these were signed
28 in April, because at the beginning of April we were
29 not quite sure if the members would separate themselves
30 into two different Corporations. We had proceeded with



1 French

2 the elections for the Upper and Lower Sections. We
3 were wondering if each of the groups would not keep
4 their own separate pool and establish their own
5 Corporation. The Directors decided that the Powers
6 of Attorney be signed and given to the respective
7 Departments, either to Cornwall or Montreal. After
8 the documents were signed, consequently we couldn't
9 ask them to incorporate themselves into a Corporation
10 non-existent.

11 Early in 1961 after having meetings and
12 dealing with the letters patent, the Directors decided
13 to establish two distinct pools. No mention was made
14 to ask for their admission within the Corporation and
15 decided to wait until the next year.

16 At the beginning of 1962 a general meeting
17 was held, all this was done legally and officially.
18 Both the legal adviser was there. The legal adviser
19 was there in order to advise the people. So, the
20 Corporation of the Upper St. Lawrence Pilots decided
21 to leave it to the legal adviser and so forth.

22 Q. Consequently everything was done
23 legally?

24 A. Yes.

25 Q. About the Power of Attorney for April
26 1961 in favour of the Corporation which then did not
27 exist, were they ratified subsequently?

28 A. No.

29 Q. At the beginning of the 1961 season,
30 after the signature on these Powers of Attorney, the



1 French

2 pilots, of what has become the Kingston District,
3 had their dues handed to the Corporation of the Seaway?

4 A. I don't understand your question.

5 Are you mentioning the Upper St. Lawrence? No, the
6 whole of the money went straight away to the Corporation
7 for the Seaway.

8 Q. And the whole 1961 season coming in
9 fund for the pilots of both Districts was administered
10 by the Corporation of the Seaway?

11 A. The Office of Administration of the
12 Seaway had representatives of the Upper St. Lawrence
13 and we had two completely separate pools.

14 Q. As of when?

15 A. Beginning of season 1961, two separate
16 pools.

17 Q. Two separate pools, but the money
18 was actually handed into the members of the Corporation
19 of the Seaway?

20 A. Yes. The Transport Department sent
21 out the cheque to the Seaway and when we received it
22 at the Corporation we split it up into two pools.

23 Q. Was there a different bank account
24 open as regards the funds for the pilots of the Upper
25 St. Lawrence?

26 A. No. The same bank account with two
27 pools.

28 Q. Those will appear in the balance sheet
29 which will be studied in detail later on.

B2

30 Mr. Saucier, would you like to refer to



1 French

2 Exhibit 848, the By-Laws of your Corporation, the
3 Upper St. Lawrence Corporation. I wish to draw your
4 attention to Section 4, paragraph D, and also paragraph
5 5 dealing with apprentice members. Are there, at present,
6 apprentice members in the Corporation?

7 A. No. Those Articles were provided
8 for the future. I understood that much.

9 Q. I believe that these By-Laws were
10 prepared by your legal adviser?

11 A. It is the reason it is so well-drafted.

12 Q. Mr. Saucier, in order to illicit
13 their perfection, how well they have been drafted, I
14 would like to review with you the two Articles to which
15 I have just referred you in order to determine the
16 objective and scope of these Sections. Would you like
17 to follow my explanation and tell me whether or not
18 you agree with me. An apprentice member, and here I'd
19 like to beg you to have in mind the system of apprentice-
20 ship which is in force in the District, whether the
21 Upper St. Lawrence or Lower St. Lawrence or the Seaway.

22 MR. LALONDE: In this respect, there has
23 not been a system of apprenticeship in the Kingston
24 District.

25 MR. BRISSET: I think in the brief it was
26 stated that something similar would be proposed, similar
27 to the system of apprenticeship provided for the Seaway.

28 MR. LALONDE: I would like to refer my
29 colleague to the very text which appeared in this
30 document where it says the Corporation, paragraph 677 --



1 French

2 it is stated at present there is no precise and definite
3 rule as to recruiting of pilots in the District of
4 Kingston. The Corporation of the Upper St. Lawrence
5 Pilots advised to have the same as the system of the
6 St. Lawrence River and Seaway Pilots to the effect that
7 an efficient system of apprenticeship is the best means
8 of training qualified pilots. Article 677, therefore,
9 was just to declare that preference of a similar system
10 of apprenticeship.

11 Q. Mr. Saucier, assume that this has
12 been settled. Let us just deal with the system of
13 apprenticeship proposed for the Lower Section, that is
14 the Seaway Section.

15 MR. LALONDE: I object, your lordship.

16 MR. BRISSET: Let us forget the system of
17 apprenticeship, particularly in Ottawa, if this gives
18 rise to so many difficulties. And let us come back to
19 the apprentice members.

20 Q. You will admit with me that an
21 apprentice may become a member. Paragraph 5 asks an
22 apprentice, he will not enjoy all the privileges of
23 regular members, is that so?

24 A. That is correct.

25 Q. Having signed as an apprentice member,
26 and here I refer you back to paragraph 4D, am I to
27 understand that this apprentice member will become a
28 member of the Corporation, an active member of the
29 Corporation, whether he wants it or not if the administration
30 office decides he must be an active member?



1 French

2 A. If this is a legal point, when the
3 question would appear, we shall get legal adviser then
4 to know what would be the exact status.

5 Q. Knowing your experience in the Districts
6 to which you are the Secretary-Treasurer, you had
7 frequent meetings with legal advisers. The fact that
8 you attend each and every meeting, do you agree with me
9 that the main objective of these two provisions is
10 to ensure that any pilots, who would be on duty in the
11 District, will also become a member of the Corporation?

12 A. The question arose recently on the
13 request of the apprentice pilots who feel terribly alone.

14 THE CHAIRMAN: In which Section?

15 THE WITNESS: The Upper St. Lawrence Section.
16 To make a request to the Department of Transport. But,
17 three members does not mean very much when we tried with
18 60 members without support. I have just replied in the
19 same way, when the problem appeared before the Board
20 of Administration. This is a legal problem. It is
21 a delicate problem and therefore consulted with the
22 legal adviser.

23 Q. That is the right thing to do.

24 Mr. Saucier, you told us that in your
25 Corporation you did not have apprentice members, if
26 I understood you correctly. There are apprentices in
27 your District?

28 A. We are playing with words. We have
29 probationary pilots and so on. We are still dealing with
30 the Upper St. Lawrence Corporation, wherein the Upper



1 French

2 St. Lawrence Corporation do not have apprentices.

3 Q. The three people would work on the
4 Ontario Lake, are they members of the Corporation?

5 A. No.

6 Q. Are they considered as probationary
7 pilots?

8 A. No.

9 Q. Have they presented this request that
10 you just mentioned?

11 A. Yes.

12 THE CHAIRMAN: They are pilots in District
13 No. 1, aren't they?

14 THE WITNESS: Yes.

15 Q. When this request was put forward,
16 the request about which no decision was made, did the
17 question of entrance fee of \$1,500 ~~was it raised~~ by the
18 candidates?

19 A. No. This would be applicable. These
20 again are questions that have to be discussed together
21 with the Board of Directors and with the legal adviser.

22 Q. As regards these entrance fees of
23 \$1,500, aren't there negotiations taking place with
24 the three pilots?

25 A. No, none.

26 Q. Mr. Saucier, as regards the turns
27 allocated to the administrators or Corporation, have
28 you prepared a list of the turns allocated in 1961 and
29 1962 similar to what you made up for the Corporation of
30 the Seaway?



1 French

2 A. I don't think so.

3 Q. Can you give us a brief detail?

4 A. I haven't got it in my mind at the
5 moment.

6 Q. Would you be kind enough to prepare
7 this list for us so as to file it in the brief, and the
8 number will be Exhibit No. 856.

9 A. You mean the terms allocated to pilots
10 at the meeting of the Board of Directors for the years
11 1961 and 1962. If I can give you the information for
12 1961 I shall do so. If not, I will give it to you for
13 1962. For both Sections, of course.

14
15 ---EXHIBIT NO. 856: List of turns.

16
17 MR. LALONDE: The witness explained it
18 was 1961 and a separate meeting of the Board of Directors.
19 You can give us the details for this Committee.

20 THE WITNESS: Yes, if I can do so.

21 Q. There were two members of the
22 subcommittee who were members of the Board of Directors?

23 A. Yes.

24 THE CHAIRMAN: Didn't this appear in Exhibit
25 822 as to the two members of the subcommittee who are
26 also members of the Board of Directors?

27 Q. Would you kindly not let us believe
28 that there are turns allocated in the case of the Corporation
29 of the Upper St. Lawrence which would already appear
30 under Exhibit 822. In other words, we will have to



1 French

2 establish a distinction according to whether the turn
3 already appears in the list, Exhibit 822?

4 A. That is correct.

5 MR. LALONDE: Would it be possible, Mr.
6 Saucer, to find out the number of meetings that took
7 place as against the number of turns allocated?

8 THE WITNESS: Yes.

9 MR. BRISSET: The counsel for the Commission
10 has suggested that I add 1963 up to now.

11 MR. LALONDE: Could you please include
12 any turns that could have been allocated for the persons
13 by the President of the sittings of the Commission.

14 MR. JACQUES: By establishing a distinction,
15 the turns allocated for the Commission for the work
16 normally accomplished by the Directors.

17 THE WITNESS: This is already done.

18 Q. Mr. Saucier, regarding the stoppage
19 of work for the year 1962, April 1962, in the Districts
20 of Montreal and Below, was there a special meeting of
21 your members held?

22 A. Yes.

23 Q. Do you have a copy of the minutes
24 of that meeting?

25 A. Yes.

26 Q. Would you be in a position to file
27 it this morning?

28 A. I think I have it.

29 Q. Could you please just file the
30 minutes of the whole general special meeting regarding



1 French

2 the stoppage of work for the year 1962 in April 1962
3 as Exhibit 857.

4
5 ---EXHIBIT NO. 857:

Minutes of general
6 special meeting held in
7 April of 1962 re stoppage
of work.

8 Q. Mr. Saucier, aside from this special
9 assessment of \$110, which you mentioned for the year
B3 10 1958, do you think that regarding the Corporation
11 of your District, that is the Corporation of the Upper
12 St. Lawrence Pilots, there were special assessments
13 levied from the members ever since its incorporation?

14 A. No, not to my knowledge.

15 Q. In other words, am I to understand
16 that in other Corporations the members participate
17 in the administration costs on a pro rata basis?

18 A. That is correct.

19
20 CROSS-EXAMINATION BY MR. JACQUES:

21
22 Q. Mr. Saucier, you told us that you
23 had received suggestions which are different from those
24 which appear in the brief of the Federation, Exhibit
25 671. I would like you to prepare, not only for the
26 Corporation of the Upper St. Lawrence Pilots but also
27 for the other Corporations for which you are Secretary
28 the other suggestions which have been put forth and
29 which are different from those which appear in your
30 brief?



1 French

2 A. Yes, very well. What number of Exhibit?

3 Q. 858.

5 ---EXHIBIT NO. 858:

Suggestions by Mr.
Saucier.

7 Q. The insurance plan put aside, are there
8 any other social benefits enjoyed by the pilots?

9 A. No.

10 Q. Pension fund?

11 A. No.

12 Q. Assistance for illness?

13 A. No.

14 Q. The three insurance plans cover the
15 three cases, so there is nothing else aside from that?

16 A. No.

17 Q. With the exception, naturally, of the
18 benefits granted by the Guild in order to defend the
19 certificates?

20 A. Yes.

21 Q. So you are not aware of that?

22 A. No.

24 -----



MR/RPS 1 French

2 Q. So you were not aware of that?

3 A. No.

4 Q. Yesterday we discussed the charge
5 made on Canadian pilots for the use of the American
6 pilot boat. Could you please sum that up. How much did
7 the use of that American pilot boat cost the Canadian
8 pilots?

9 A. The accurate figures in a few moments
10 the auditor is going to give you the exact amounts which
11 will be far better than to give you approximate figures.

12 Q. You are right. Thank you.

13 THE CHAIRMAN: Are there any further
14 questions?

15

16 RE-DIRECT EXAMINATION BY MR. LALONDE:

17

18 Q. Mr. Saucier, you made reference to
19 a letter which had been sent to the members of your
20 District regarding the specific recommendations of your
21 group. I would like you to file that letter as well as
22 those specific recommendations attached and to read
23 it out as this text is in French, these three para-
24 graphs which are indicated with blue pencil. In the first
25 place, was that a true letter which was sent to all the
26 members?

27 A. Yes, letters sent to all the members
28 on June 6th 1963. The first paragraph reads as follows:

29 "You will find enclosed herewith

30 "the recommendations which are particular



French

"to your Pilotage District that your
"Board of Directors has the intention of
"submitting to the Royal Commission of
"Inquiry on Pilotage."

The second paragraph reads as follows:

"We would like moreover to convene
"a general special meeting of the members
"of our Corporation in order to see to it
"that the recommendations which concern
"you exclusively will be adopted. Unfortun
"ately, the navigation season being in
"full stride it is extremely difficult to
"do so. Consequently, we have deemed it
"preferable to proceed to a certain
"referendum about it. On the other hand,
"we already have asked you through a bulletin
"to send us all your recommendations and
"suggestions."

The third paragraph reads as follows:

"We ask you to study thoroughly these
"recommendations. Any member not in agree-
"ment with these recommendations will have
"to tell us about his disagreement within
"seven days after having received this
"letter. If no answer is given, then it
"will be considered as being an adoption
"of the recommendations enclosed herewith."

So you see there is unanimity...

Q. Would you please file this document



1 French

2 as Exhibit 859.

3
4 ---EXHIBIT NO. 859:

Letter of June 6th,
1963 sent to all members.

5
6 Q. I have noted also that you have added
7 to that letter, to the list of specific recommendations
8 in the number seven, and that you have in the brief
9 additional recommendations 8, 9 and 10 which have been
10 added. Eight concerns the first trip of the vessel
11 in the District and a second one is in the case of an
12 assignment of a pilot in a case of a tug, and the third
13 one concerns the assignment of a pilot after December
14 1st. Were these recommendations adopted by the Board
15 of Directors?

16 A. Yes, upon the suggestion of the
17 members.

18 Q. Did it come only through the mail?

19 A. No, not only through the mail. They
20 were made also orally.

21 Q. Now I take note that the terms of
22 reference which have been filed before this Commission,
23 that is the authorization to collect, is in French.
24 You have also English copies of that text in your
25 files?

26 A. Yes, but I cannot file them this
27 morning.

28 Q. As the question was raised in order
29 to find if there was a subsequent confirmation of those
30 terms of reference, perhaps you could read that slowly.



French

A. "I authorize by the present letter the Corporation of the Upper St. Lawrence Pilots to receive, collect and claim before court, if necessary, on my behalf any amount owing to me or which may be owing to me by whomsoever regarding my service as a pilot and to accomplish any necessary or useful action for this purpose and I request by the present letter that the terms of reference be suspended to the same effect the directions given to the Corporation of the St. Lawrence River and Seaway Pilots. The suspension of the said terms of reference will be kept in force until I become a pilot in the Cornwall District. In such event the present terms of reference given to the Corporation of the Upper St. Lawrence Pilots will automatically be cancelled and the terms of reference previously given to the Corporation of the St. Lawrence River and Seaway Pilots will automatically be in force again. The said suspension and new terms of reference will be put into application only upon the incorporation of the Upper St. Lawrence Pilots or at any date subsequent to that incorporation which might be decided by the Board of Directors of the said Corporation."

COMMISSIONER SMITH: My lord, I would like



1 English

2 to ask the witness a question on that Power of Attorney:
3 is that operative as long as he remains a pilot?

4 THE WITNESS: As long as he remains, I
5 think a member of the Corporation.

6 COMMISSIONER SMITH: As long as he remains
7 a member of the Corporation?

8 THE WITNESS: Of the Corporation.

9 COMMISSIONER SMITH: Thank you.

10

French 11 CROSS-EXAMINATION BY MR. BRISSET:

12 (THROUGH THE INTERPRETER.)

13 Q. The pilot must remain a member of the
14 Corporation as long as he is a pilot?

15 A. If he has asked for his incorporation,
16 yes.

17 Q. If he has signed the Power of
18 Attorney?

19 A. Yes.

20 MR. LALONDE: Unless the Board of Directors
21 authorize him to resign from the Corporation.

22 THE WITNESS: Obviously.

23 Q. In your experience of the three
24 Corporations with which you are concerned, has it
25 ever happened that somebody has resigned from the
26 Corporation?

27 A. There has been one request and it
28 has been turned down by the Board of Directors.

29 THE CHAIRMAN: This question is that of
30 Captain Downey?



French

THE WITNESS: Yes.

MR. LALONDE: By the way, he told us he was very pleased to be back home.

CROSS-EXAMINATION BY MR. JACQUES:

Q. Concerning the request I put to you for the further Exhibit 858, about the suggestions made by the pilot, you have, of course, written documents and to the best of your knowledge and of your memories you know that a number of suggestions were made. Now I have another request to make about the other Corporations for which you work as Secretary. You have had contracts of group insurance of various kinds. Would you like to sum up the benefits which were paid out, without mentioning the names of the persons to which they were paid, of course, indicating also the nature, if possible, of those benefits?

A. Yes. This is very easy.

Q. And this is Exhibit 860 for the three Corporations.

MR. LALONDE: Your lordship, the witness says he is pleased to do so but I would like to register my objection to this question. This is a request which affects the insurance company concerned and not the witness himself. If the witness agrees, I have got nothing else to say.

Q. The aim is to know what has been paid to the pilots.



1 French

2 A. The companies also pay out the claims.
3 It is a very important question.

4 THE CHAIRMAN: The witness is Secretary-
5 Treasurer of the Corporation. He knows about any
6 complaints and the insurance policy and I think he
7 is kept informed if something goes wrong. The Board
8 of Directors is certainly interested in knowing what
9 happens if the pilots or if the coverage of the pilots
10 is not satisfactory to the pilot. Insofar as the
11 Secretary-Treasurer is in a position to answer this
12 question and agrees to do so, I think we can agree
13 to hear it.

14 Q. You were the broker who negotiated
15 these contracts?

16 A. That is right.

17 Q. You should have no difficulty
18 answering.

19 A. I have no objection.

20 THE CHAIRMAN: Any other questions to put?
21 Thank you Mr. Saucier.

22
23 MR. JACQUES LAROSE, Sworn

24
25 THE SECRETARY: Your occupation?

26 THE WITNESS: Chartered Accountant.

27
28 DIRECT EXAMINATION BY MR. LALONDE:

29 Q. Mr. Larose you have already appeared
30 before this Commission?



1 French

2 A. Yes.

3 Q. You are one of the auditors of the
4 Corporation of the Upper St. Lawrence Pilots?

5 A. That is so.

6 Q. Since when?

7 A. For the Upper St. Lawrence since last
8 year. Since the setting up of the Corporation that is.

9 Q. How many reports have you presented
10 so far to the Corporation of Upper St. Lawrence?

11 A. The first report ended in February 28th
12 1963 and 1962 there was a report under the name of the
13 Corporation of the Seaway Pilots, Upper Section.

14 Q. Is this document filed for the year
15 1961?

16 A. Yes.

17 Q. Would you like to file the financial
18 statements of the Corporation of the Upper St. Lawrence
19 Pilots as of February 22nd 1963 as No. 861.

20
21 ---EXHIBIT NO. 861:

Financial statements
of the Corporation of
the Upper St. Lawrence
Pilots as of February
22nd, 1963.

22
23
24
25 Q. During your examination in your
26 auditing, can you explain to the Commission how you
27 proceed for the auditing of the books and registers
28 of the Corporation of the Upper St. Lawrence?

29 A. We made a general auditing of the
30 reports submitted by the Secretary-Treasurer, but also



1 French

2 carried out an audit of all the expenses incurred in cash
3 or by cheques. We have verified the funds according to
4 the reports received from the Kingston Pilotage Authority
5 and by the Anchor Boat Line Incorporated.

6 Q. Who is this Anchor Boat Line?

7 A. Who is what?

8 Q. Who is that company?

9 A. That company is the company in charge
10 of the reports of navigation for going down the River
11 from Cape Vincent.

12 Q. Is this an American company?

13 A. That is so.

14 Q. What did you have, an auditor verifying
15 the financial statements?

16 A. We had a statement of account sent
17 out to us every month. Now for the Anchor Boat Line
18 it was rather difficult to audit these statements with
19 what we were sent out. There was a lack of information.

20 Q. Was Anchor Boat Line the company
21 entrusted with the collection of pilotage dues in Cape
22 Vincent?

23 A. Yes.

24 Q. Do you know who is responsible for
25 this company?

26 A. I don't remember the name.

27 Q. What did you say? Is it "Fitz" something
28 or other? Fitzgerald? Did you hear that name?
29 Did you go to Cape Vincent? Have you met this person?

30 A. No, never.



1 French

2 Q. What did you do? Sorry, I interrupted
3 you.

4 A. We agreed to do -- we made some
5 qualifications in our certificate of audit saying that
6 we did not have the confirmation of the balance due
7 by the Anchor Boat Line Incorporated but the amounts
8 for the detentions or other amounts which we did not
9 know the amounts due to pilots in detention and also
10 regards the pooling.

11 Q. As regards the auditing did you carry
12 out sample verification?

13 A. Yes, sample auditing, and rather a
14 thorough one.

15 Q. Did you find any defects in the
16 administration of the fund?

17 A. No.

18 Q. Did you have a receipt? Did you have
19 a document which you asked for in order to carry out
20 your audit?

21 A. Yes, through the Secretary-Treasurer.

22 Q. Now your lordship in order to make
23 it possible for my colleagues and for myself to hear
24 about the balance sheet of this Corporation, I would
25 like to suggest we adjourn now. I think we will have
26 plenty of time to finish this morning with this
27 witness.

28 THE CHAIRMAN: We are going to adjourn for
29 a quarter of an hour.

30 ---A SHORT RECESS.



1 French

2 ---FOLLOWING THE SHORT RECESS:

3
4 CONTINUATION OF RE-DIRECT EXAMINATION BY MR. LALONDE:

5
6 Q. Mr. Larose would you please look at
7 the document that you have filed as being the financial
8 statement of the Corporation of the Upper St. Lawrence
9 Pilots. I note that on February 28th -- in the first
10 place, I have before me the balance sheet indicating
11 that the cash on hand, total of \$5,289 and also accounts
12 receivable from the Kingston Pilotage Authority is
13 approximately \$1,123.21. What are those figures?

14 A. Those are the monies which had not
15 as yet been collected for the season 1962 and at the
16 present time they have all been collected.

17 Q. The Anchor Boat Line, that is the
18 American organization entrusted with the collection
19 of the pilotage dues for the year 1962, \$5,289?

20 A. This is the same thing, the pilotage
21 dues for the year 1962 which had not been collected
22 yet at that date and which are all collected at the
23 present time.

24 Q. Reimbursement of pilotage dues or
25 cost \$8,750.

26 A. Those are pilotage costs which had
27 been charged to the Upper St. Lawrence Pilots by the
28 American side. Now out of the amounts that had been
29 charged, according to a contract which was made with the
30 American side, there was a settlement or an agreement



1 French

2 made according to which they would give back \$10,750.

3 On February 20th we already received \$2,000 and we

4 still had \$8,750 which was supposed to be received

5 according to the dates mentioned.

6 Q. Others \$182, what does that amount
7 represent?

8 A. Those are insurance costs which have
9 been paid by the Corporation of the Upper St. Lawrence
10 Pilots which belong in fact to the Seaway, the Corporation
11 of the Seaway. This amount has been paid by the
12 St. Lawrence Seaway.

13 Q. Now if we take Schedule B, which is
14 expenditures and income from March 1st 1962 until
15 February 28th 1963, you have the amounts which have
16 been paid by the Kingston Pilotage Authority and by the
17 Anchor Boat Line?

18 A. Yes.

19 Q. And you also have an item which is
20 entitled "Settlement of Pilotage Dues".

21 A. Well this is the \$2,000 that we
22 received out of the pilotage costs which are shown
23 in the balance sheet.

24 Q. Reimbursement to the Guild of
25 \$64.85.

26 A. Well this is the return made by the
27 Guild upon the cost that we have charged pilots in the
28 organization for the convention. That has been shared
29 equally between the pilots of the Upper St. Lawrence.

30 Q. And exchange in American dollars,



1 French

2 \$11,953.50.

3 A. Well this was a premium paid on
4 American funds. We were paid in American funds, when
5 we collected money and we had, naturally, an exchange
6 premium to pay for the American funds.

7 Q. Reimbursable expenses \$2,788. Who
8 were to be reimbursed this amount?

9 A. Reimbursable amounts were the monies
10 paid by the Anchor Boat Line, if my memory serves me
11 right, which were paid to the pilots in particular,
12 that is to say it is payable to different pilots and
13 this is not shareable.

14 Q. Do you know what these expenses,
15 reimbursable expenses were for?

16 A. I can't remember.

17 Q. Could we please ask the Secretary-
18 Treasurer?

19 A. Yes.

20 Q. You have Schedule "C" which is
21 called Computation of the Value of the Turn?

22 A. Yes.

23 Q. This is a system of computation which
24 is similar to the one which you have followed in your
25 financial statements for the Corporation of the St.
26 Lawrence and Seaway Pilots?

27 A. Yes.

28 Q. I see that you have no expenditures
29 and a total of \$13,261.85 less initiation fees of \$1,000.
30 Are those initiation fees, were they given especially



1 French

2 to the administration?

3 A. This initiation fees were fees that
4 we have collected from special pilots. Now for the
5 season 1962 we ---

6 Q. You said special pilots?

7 A. No, I mean the new pilots. We have
8 applied these initiation fees directly against the
9 expenditures of the current year.

10 Q. Do these expenditures include the
11 expenses for incorporation in the balance sheet ?

12 A. Yes, part of it; especially insofar
13 as legal costs are concerned.

14 Q. And then you have at the end, under
15 the distribution to be paid to the pilots, \$8,307.45.
16 Was that the amount that you had in cash after February
17 28th for the year 1963? What is that amount exactly?

18 A. This is the balance that we had to
19 pay to the pilots according to the distribution that
20 we have made according to turns. Naturally we
21 couldn't distribute all the money on February 28th
22 because we had \$6,300 still to be collected out of the
23 amount, and we did not have the cash in the bank. We
24 waited to have the money before paying the pilots.
25 Naturally all this money was paid as of now.

26 Q. Were there any provisions for special
27 funds which could be assimilated to a strike fund?

28 A. No.

29 THE CHAIRMAN: Mr. Lalonde, I would like
30 you to establish the relationship as it is with Exhibits



1 French

2 841 and 842 which are for the Kingston Pilotage
3 Authority operating statement, and the St. Lawrence
4 Seaway operating statements, these two documents with
5 the ones of the Corporation that you have before you.

6 Q. You have before you Exhibit 841
7 entitled "Kingston Pilotage Authority Operating State-
8 ments from 31st May 1962 until December 31st, 1962." Was
9 that the report you have used as a basis for the items
10 shown in your financial statements under the heading
11 "Kingston Pilotage Authority"?

12 A. Yes. This is the right document.
13 Now the relationship which exists between both, if
14 we take, for example, the statement of account as of
15 February 5th 1963, we have, for example, payments up
16 to date \$125,580. This is the money that we have
17 received on the Canadian side and this figure is shown
18 in our calculations of the value of the turn for the
19 Kingston Pilotage Authority amount received \$125,580,
20 which is corresponding to the following figure,
21 Kingston Pilotage Authority \$11,232.

22 Q. We still find this mentioned, this
23 same amount in that balance sheet Schedule "A" as
24 amount receivable and in the statement of expenditures
25 and income we find the amount of \$125,580 so this
26 is Exhibit 841 and the exhibit that you have used to
27 compute the amounts receivable and the cheques cashed?
28
29
30



T/RPS 1 French

2 Q. I will still find this on the
3 balance sheet, Schedule "A", as amount receivable and
4 in the statement of expense, and in effect we find the
5 amount of \$125,580. So this is Exhibit 841 and the
6 exhibit that you have used to complete the accounts
7 receivable and the cheques cashed.

8 Exhibit 841 is entitled St. Lawrence
9 Seaway Pilots Corporation, operating statements.
10 Was that exhibit used in the preparation of the financial
11 statement or did you have another statement aside from
12 this one prepared by the Anchor Boat Line?

13 A. We had other statements made by the
14 Anchor Boat Line on a monthly basis. This one deals
15 with the whole period from April to February 1963. We
16 have used it also to compare our books with the latest
17 statements as it appeared in our balance sheets. The
18 amount was \$5,031.53.

19 Q. \$5,031.53. And here you mention
20 \$5,298 twice in your balance sheet, which amounts to a
21 difference of about \$200.

22 A. In our balance sheet the difference
23 between \$5,031.53 and \$5,298.03, that is \$200 difference
24 which is due to the rate of exchange. If you examine
25 the value of the rate of exchange, you will see that
26 the result in American dollars is \$5,031.53. The
27 difference of \$200 is included in the premium over the
28 rate of exchange for American dollars 12,220. In
29 "B" you have \$11,953.50 as having been distributed to the
30 pilots. No. "C" is \$12,220.00, and the difference



French

1
2 is the same as the first figures which were credited
3 and due to the rate of exchange.

4 Q. In the sums paid out on February 28th,
5 Exhibit 842, the sum of \$149,800 is mentioned as being
6 the payments as from February 28th. Does this amount
7 appear in the financial statement?

8 A. Yes. And Item "B" in the Statement
9 of Receipts, you find the Anchor Boat Line Inc. \$148,000
10 received and also the same amount under Item "C" as
11 money received.

12 Q. Does this appear in American dollars?

13 A. Yes, it is indicated in American
14 dollars.

15 Q. Is there a reference to premium, to the
16 rate of exchange in American money?

17 A. Yes. \$11,953.50 which was what
18 we received at the end of February 1963, and the same
19 item appeared under "C", premium on rate of exchange
20 \$12,220.

21 Q. Is this the only document which you
22 used for the auditing of the sums received from the
23 American side or have you received other financial
24 statements, certified financial statements?

25 A. No. We have received no certified
26 statements. We have received no financial certified
27 statements from the company.

28 Q. You declare you received monthly
29 statements from the Anchor Boat Line. Did you receive
30 a consolidated statement at the end of this complete



1 French

2 financial statement from the Anchor Boat Line?

3 A. This one is more or less a summary.

4 Q. I would like to draw your attention
5 to the fact that Exhibit 842 is a financial statement
6 of the St. Lawrence Seaway Corporation, not the
7 Anchor Boat Line. Do you remember having another
8 balance sheet?

9 A. No, I don't remember.

10 THE CHAIRMAN: When the witness mentions
11 the financial monthly statement of Anchor Boat Line,
12 does that correspond to Exhibit 840 -- does he refer
13 to Exhibit 840?

14 THE WITNESS: Yes. It was that sort of a
15 report.

16 Q. Is this the one that is entitled
17 St. Lawrence Seaway Association or is it Anchor Boat
18 Line Inc.?

19 A. I can't tell you.

20 MR. LALONDE: Would the Secretary-Treasurer
21 know and would he be in a position to have it verified?

22 Thank you.

23
24 CROSS-EXAMINATION BY MR. BRISSET:

25
26 Q. Mr. Larose, in your balance sheet or
27 in your financial statement there is income for the
28 pilots plying on the Lakes, let us say, the three
29 Canadian and three American pilots. Do they appear in
30 one way or the other?



1 French

2 A. They don't appear in our financial
3 statement.

4 Q. In other words what is paid out to the
5 pilots, who are on duty on the Lakes, do not deal through
6 the Corporation?

7 A. They do not go through the Corporation
8 directly.

9 Q. Is this taken into account in any
10 way whatsoever on the balance sheet of the Corporation?

11 A. No, in no way.

12 Q. Is this answer the same as regards
13 the travelling expenses of these pilots?

14 A. Yes.

15 Q. No account is taken of those expenses
16 in ~~the~~ books of the Corporation?

17 A. No. The money which we receive, we
18 receive from two offices, the Kingston Pilotage
19 Authorities and Anchor Boat Line.

20 Q. Therefore, you only take for your
21 statement the money received from those two sources
22 without knowing exactly what is the origin of those
23 funds?

24 A. That is correct.

25 Q. Would you like to refer to statement
26 "B" in your balance sheet. I note under the column of
27 Receipts, Item Exchange on American Money, the sum of
28 \$11,953.50 as receipts. Is it true to say that this
29 represents the premium on the amount of \$149,800 received
30 from the Anchor Boat Line Inc. in American money?



1 French

2 A. Yes.

3 Q. The exact premium?

4 A. What do you mean by exact premium?

5 Q. The rate of exchange carried out when
6 the payments were received?

7 A. Yes. That is what the bank paid to
8 our account.

9 Q. The money came periodically, that is,
10 every month and the total of the profit on the rate of
11 exchange is the amount appearing in your statement?

12 A. That is so.

13 Q. Would you like to turn now to item,
14 disbursement. The first item is administration expense,
15 \$3,092.88. Am I to understand that those administration
16 expenses refer to office expenses?

17 A. Yes. Clerical and office expense.
18 You will find the detail under "C".

19 Q. Under "C" opposite item office expense
20 I see that the total is \$3,105.70 and therefore there
21 is a small minor difference of \$10, \$12 or \$15. Can
22 this be explained to us?

23 A. This difference appears in the summary
24 "A" to be paid. We still have to pay the interest for
25 the bank which had been paid by the Seaway. There has
26 been a mistake in the account, for the Seaway owed us
27 \$13.02 considered as being expense in the year and was
28 paid out in 1963 by the American Seaway.

29 THE CHAIRMAN: Disappeared in "A", item 21.12.

30 Q. I turn to the following items, expenses for



1 French

2 ~~Directors~~, \$1,388.14. Would you like to tell me what
3 were the vouchers which were given in this respect?

4 A. I have a list of all the expenses
5 here.

6 Q. Does that include travelling expenses?

7 A. In most cases these are meeting
8 expenses, when a Director goes to an assembly.

9 Q. Does this include the \$15 paid in the
10 wintertime to the Directors who attend an assembly?

11 A. That is so.

12 Q. Does this include the value of turns
13 allotted to them?

14 A. No.

15 Q. Does that include travelling expenses
16 and also a fee of \$15 for turns which are paid cash?

17 I go on to the fifth item, Secretary-Treas-
18 urer, \$2,200. I suppose that this is the payment to
19 the Secretary-Treasurer from the Corporation for the
20 year just ended?

21 A. Yes, this is his remuneration.

22 Q. The next item is the following,
23 Federation and Guild, \$4,200. Do you have a breakdown
24 of that item indicating how much is paid to the
25 Federation and how much is paid to the Guild?

26 A. I passed my financial statement to
27 the Secretary-Treasurer. If my memory serves me right,
28 I think it was \$75 to the Guild. \$75 to the Guild and
29 \$125 to the Federation.

30 Q. For each of the 21 members of the



1 French

2 Corporation?

3 A. Yes. Yes, it is 21 for \$200. That
4 is, \$200 are paid by 21.

5 Q. Would you please go on to Schedule
6 "C" where we have a computation of the value of the
7 turn. At item Receipts, I notice a deduction regarding
8 detention of \$4,499.13. Am I to understand that this
9 amount is deducted from the pool before the distribution?

10 A. Yes. These amounts are kept in
11 order to pay the pilots in particular, as directly
12 according to detention time. This is taken out from
13 the common pool and paid to different pilots.

14 Q. What is the voucher which allows you
15 to determine the amount which is indicated therein?

16 A. Usually the billing we receive from
17 different companies, the detail is indicated on all
18 the bills. You have certain refundable expenses. In
19 fact, it comes from the detention time.

20 Q. I suppose that the amount is determined
21 by the Secretary-Treasurer basing it on what is in the
22 pilot source form?

23 A. That is correct. This wasn't in detail
24 in 1962.

25 Q. You have accepted the figures
26 submitted by the Secretary in that matter?

27 A. Yes.

28 Q. Let us pass on to initiation fees.
29 You have told us that these fees, as they are shown in
30 the statement, had been applied against the administration



1 French

2 costs?

3 A. Yes.

4 Q. In the evidence of a previous witness
5 we understood that there were four pilots who have
6 paid, in the course of the year, \$250 each.

7 A. Yes.

8 Q. What is the operation made? Does the
9 pilot pay cash to the Corporation or is it deducted
10 through his participation in the pool?

11 A. Well, this is deducted from a payment
12 that he receives on a monthly basis. If all the pilots
13 have to receive \$500, he is permitted at a certain time
14 only \$250.

15 Q. Would you please now refer still to
16 Schedule "C". At the bottom of the page there is an
17 item Distribution. I notice the following words,
18 retention for initiation fees \$1,000. What is the
19 explanation of this entry?

20 A. In the item paid to the pilot on
21 February 28th, 1963, the amount that you have is \$253,750
22 includes \$1,000 that the pilot has not received. But,
23 his account has been credited for the full amount.
24 Consequently, from that amount, I deduct the initiation
25 fees which have been charged to these four pilots.

26 Q. There is a problem of accountancy
27 which goes beyond my understanding. Does it mean that
28 the \$1,000 is once again put into reserve?

29 A. No. Upon the final distribution of
30 the money received, according to the number of turns



1 French

2 performed, the Guild and Federation charge the pilots,
3 not according to the number of turns performed, but
4 on an individual basis. For example, the Federation
5 have dues to pay of \$125. We calculate the value of
6 the turns and the turns that each pilot have to their
7 credit, and we give them half the amount which they
8 earn in a year. Out of that amount we deduct what we
9 have to deduct from that amount covering insurance,
10 Federation, Guild and initiation fees.

11 So, what the pilot receives at the end is
12 the net amount that is receivable.

13 Q. The procedure is the same as regards
14 the insurance premium?

15 A. Yes.

16 Q. This premium varies according to the
17 family condition of the pilot?

18 A. Yes. For certain insurance policies
19 such as health insurance.

20 Q. In the breakdown of administration
21 costs indicated in Schedule "C", you have an item,
22 Representation Costs Travel in Winter, and Miscellaneous
23 which is aside from the other figure mentioned previously.
24 Would you, please, tell me what that represents exactly
25 and what are your vouchers?

26 A. Under the item Directors' Expenses --
27 a few of these expenses are part of the expenses for
28 administration costs./ (C. I am going to explain the reason
29 for my putting this question to you and it is the follow-
30 ing. Is there a given reason for it or why you divide



1 French

2 the representation fees travel and expenditures of
3 Directors instead of share it in the balance sheet under
4 a single item?

5 A. There is no reason for that. Certain
6 expenses are already charged. On the item of cost,
7 usually we have a distinction of meeting costs, and
8 expenses of the Directors usually are to include only
9 the meeting costs. The additional costs are set aside.

10 Q. So the Directors' expenses have to
11 do only with meetings by representations and miscellaneous
12 and others will refer to other activities?

13 A. Under Directors' Costs, I have certain
14 travelling expenses.

15 Q. What is the reason for the meeting
16 expenses entered as being an expense different from
17 that of the Directors' expenses and the representation
18 costs?

19 A. These meeting expenses are for the
20 general and special meetings.

21 Q. This is only one meeting. It is the
22 annual.

23 A. The annual meeting, and if there are
24 any special meetings -- the full members.

25 Q. Mr. Larose, when you have been
26 examined I think last week or about a fortnight ago,
27 I had asked you to prepare certain documents. Do you
28 have them with you?

29 A. Yes.

30 MR. LALONDE: I think that an exhibit number



1 French

2 had been put aside for this document. Expense paid by
3 the Corporation of the St. Lawrence River and Seaway
4 Pilots, March 1st, 1960 to February 28th, 1963. At the
5 end of the examination of Mr. Larose, counsel said, I do
6 not think any exhibit number was put aside especially
7 for that document but it will be filed as Exhibit 853.

8 THE CHAIRMAN: Exhibit 823 was the financial
9 statement for the years 1960, 1961, 1962 and 1963 for
10 the Corporation of the St. Lawrence River Pilots.

11 No exhibit number has been given. Could
12 you please give us the title of that document.

13 MR. BRISSET: I am pleased to file this
14 document as Exhibit 852. Financial statement, statement
15 of expenses paid by the St. Lawrence River and Seaway
16 Pilots for the periods extending from the year 1960 to
17 1961 inclusive. That is to say, for the navigation
18 seasons of 1960, 1961, 1962.

19 MR. LALONDE: From March 1st, 1960 until
20 28th February, 1963.

21
22 ---EXHIBIT NO. 852:

Financial statement,
statement of expenses
paid by the St. Lawrence
River and Seaway Pilots
for the periods extending
from the year 1960 to 1963,
March 1st 1960 to 28th
February, 1963.

23
24
25
26
27 MR. BRISSET: The fiscal year in each case
28 starts on March 1st and ends on February 28th of the
29 following year?

30 THE WITNESS: That is correct.



1 French

2 Q. When you prepared this statement,
3 Mr. Larose, did you include as being the expenditure
4 for the year, only the expenses regarding the responsib-
5 ilities for the current year, or also the expenses
6 regarding the responsibilities of the preceding year
7 if they had not as yet been paid?

8 A. Those are the costs that were to be
9 charged for the given year, paid or unpaid. But, there
10 is not such a great difference between paid and unpaid
11 because everything was practically all paid up during
12 the course of the year and the balance owing was not
13 too great.

14 Q. In other words, upon examination of
15 the balance sheet it may be shown that certain expenses
D3 16 paid in 1962, for example, concerned expenses incurred
17 in 1961?

18 A. That is correct.

19 Q. So you tried in your statement to
20 show simply the expenses incurred in the year and paid
21 in the course of the same year or subsequently, but
22 always having to do with the year covered and the year
23 mentioned in your statement?

24 A. Yes.

25 Q. I notice, upon examining this exhibit,
26 that regarding the expenses for the expenditures for the
27 year extending from May 1st until February 1962,
28 February 28th, 1962, you indicate that an amount of
29 \$14,417.25 had been paid from the reserve funds for
30 initiation fees and for administration costs, and you



1 French

2 add that expenses have been made for the organization
3 of Cornwall-Kingston?

4 A. Yes. This was the year of subdivision
5 into Corporations. We have two sections in the
6 Corporation and in order to set up the sections on a
7 separate basis there were legal costs incurred which
8 were in the balance sheet which were to the amount of
9 \$2,932.86.

10 Q. You have said, according to your
11 last statement which has been filed as Exhibit 861,
12 that the organization costs of that section were
13 already included and for example you have told us that
14 legal costs of \$5,981 have been incurred regarding
15 these organization costs?

16 A. Not in 1960 or 1961.

17 Q. In the last balance sheet?

18 A. I just said a part, a part of the
19 organization costs.

20 Q. So a part of the organization costs
21 is included in this figure of \$14,417.25 which is
22 shown in your balance sheet for the year 1961 and
23 in another part included in the balance sheet in
24 Exhibit 860?

25 -----
26
27
28
29
30



MR/RPS 1 French

2 Q. I would like to make a correction
3 regarding the exhibit number. Instead of 860 and 861,
4 we should correct it to 861 and 862.

5 THE CHAIRMAN: Mr. Larose, in order to
6 enlighten us amongst this considerable number of
7 financial statements which are before us, you said
8 beforehand that you did not receive vouchers or
9 explanations concerning the information received from
10 Anchor Boat Line Incorporated?

11 THE WITNESS: Yes.

12 THE CHAIRMAN: Have you asked for this
13 information?

14 THE WITNESS: No, we have not asked for
15 it, no. I believe they were quite confused in their
16 organization; very difficult to understand what was
17 going on and the payments made were very difficult
18 to explain. We didn't know what we were receiving
19 actually sometimes.

20 THE CHAIRMAN: You have had two sources
21 of receipts: on the one hand the money received,
22 and on the other hand the disbursements of the Corpor-
23 ation, thereby remaining the balance?

24 THE WITNESS: That is so. We asked
25 confirmation from Anchor Boat Line at the end of the
26 year because we reached such differences, and we
27 received a reply but presently they haven't discovered
28 what was wrong in their administration.

29 THE CHAIRMAN: The difference, therefore,
30 would be between their monthly statements and their



1 French

2 yearly statements, is that so?

3 THE WITNESS: Well they send monies some
4 times which can be attributed to nobody. In March 1963,
5 for instance, we received a certain amount of money.
6 We didn't know what to do with it. We have asked for
7 some explanations to be supplied to us in that respect.

8 THE CHAIRMAN: Does the money come with the
9 monthly statements or not?

10 THE WITNESS: No money comes at this end.

11 THE CHAIRMAN: I understand that you do not
12 audit the vouchers concerning what comes from the
13 Canadian Pilotage Authority?

14 THE WITNESS: No, we can't audit it. We
15 couldn't reach a solution. It wouldn't be any use or
16 it would take a tremendous amount of time and it would
17 be too costly.

18 THE CHAIRMAN: It is not so much a task
19 which has been asked, what has been asked of you is
20 what the Corporation did with the money received by it.
21 There are two sources of profits. On the one hand
22 the Canadian Pilotage Authority and the other one the
23 Anchor Boat Line Incorporated. Therefore, it is up
24 to you to decide what the Corporation has done with
25 that money. That is why you are not interested in the
26 money which you may receive from the three pilots from
27 the Lake Ontario.

28 THE WITNESS: Well we might be interested
29 in having it audited, but at present it would be too
30 costly.



1 French

2 THE CHAIRMAN: This does not fall within
3 the distribution made by the Corporation. This is why
4 it does not fall within your jurisdiction?

5 THE WITNESS: That is so.

6 THE CHAIRMAN: You don't audit either, or
7 you did not see whether the accounts sent out by the
8 Pilotage Authorities are accurate in each and every
9 case?

10 THE WITNESS: That is exact.

11 THE CHAIRMAN: You don't take the pilot's
12 source form? You don't make the calculation? You don't
13 start all over again the work of the Pilotage Author-
14 ities. You just take the money which is given to you
15 and then the administration which has been made by the
16 Corporation of the Upper St. Lawrence Pilots and that
17 is the limit of your terms of reference?

18 THE WITNESS: That is correct.

19 THE CHAIRMAN: Any other questions to Mr.
20 Larose?

21 Thank you Mr. Larose. I understand that
22 this is the last witness for this morning?

23 MR. LALONDE: May we have Mr. Saucier again
24 for a few questions?

25
26 MR. JACQUES SAUCIER, Recalled

27
28 MR. LALONDE: My lord did you have questions
29 to put directly?

30 THE CHAIRMAN: Yes. Mr. Saucier you spoke to



1 French
2 us about monthly or yearly financial statements from
3 the Anchor Boat Lines Incorporated. Is it the same
4 thing as what has been submitted to us by you as No.
5 842 and 840 as coming from the St. Lawrence Seaway
6 Pilots' Association?

7 THE WITNESS: Mr. Fitzgerald, since he has
8 been referred to earlier on, he is the President of
9 Anchor Boat Lines Incorporated. Anchor Boat Lines
10 Incorporated has asked Leary and Dox to make the
11 accounting for the St. Lawrence Pilots' Association.
12 When we received those reports, it is always the
13 financial statement of the St. Lawrence Seaway Pilots'
14 Association and this is printed on its paper -- on the
15 paper is printed the Anchor Boat Line report from
16 the Association St. Lawrence Pilots account of
17 Leary and Dox.

18 THE CHAIRMAN: These are the financial
19 statements of the operation made by Anchor Boat Lines
20 for the Pilotage Authorities because they also have
21 other completely different financial statements which
22 is mandated by the administration?

23 THE WITNESS: That is so.

24 THE CHAIRMAN: Concerning the monies which
25 are paid for the three Canadian pilots on Lake Ontario,
26 are they received by your Corporation?

27 THE WITNESS: Not at all.

28 THE CHAIRMAN: They are sent directly to the
29 pilots concerned by the Pilotage Authorities?

30 THE WITNESS: That is so. They are not received



1 French

2 by the Corporation.

3 THE CHAIRMAN: Besides, it would appear on
4 the report of the Pilotage Authority, Exhibit 842 with
5 the dues for the pilot boats, et cetera?

6 THE WITNESS: That is so.
7

8 CROSS-EXAMINATION BY MR. JACQUES:
9

10 Q. You get paid by cheques by the
11 Americans don't you?

12 A. That is so.

13 Q. Who signs the cheques? The Anchor
14 Boat Line or the Pilotage Association?

15 A. The Anchor Boat Line.

16 Q. Do you know if these people are
17 paid in one way or another? Do they get remuneration?

18 A. I have no idea.

19 Q. Have you had an audit of these people?

20 A. The expenditures are charged to the
21 pilots at the end of the year, the final balance sheet.

22 MR. LALONDE: Mr. Saucier you have before
23 you a letter from Mr. Fitzgerald, I believe, with
24 a financial statement. Is that a complete financial
25 statement which would have been tabled for the year
26 1962?

27 A. This letter is the following:

28 "The final operating statement for the St. Lawrence
29 Seaway Pilots' Association and the special pilots
30 for the 1962 season are enclosed," and it is signed



1 French

2 J.R. Fitzgerald, President. This is the complete report
3 from April 15th to February 28th, 1963.

4 MR. LALONDE: To whom is addressed the letter
5 which you have just read?

6 THE WITNESS: The letter was sent to
7 Captain Metchener, Administrator with copies sent to
8 Captain Jones, Captain Edwards, Captain Gregory Hatch
9 and to Jacques Saucier.

10 THE CHAIRMAN: If the Corporation of the
11 Upper St. Lawrence Pilots is not satisfied with the
12 financial statements supplied by Mr. Fitzgerald on the
13 operation of the pilotage, their part of the pilotage,
14 it is up to the Corporation to ask for information and
15 not up to Mr. Larose, your auditor.

16 THE WITNESS: Yes, it is up to the
17 Corporation.

18 THE CHAIRMAN: He audits the level of the
19 accounts but if you are not satisfied yourself, you
20 can always ask the American sources of receipts, to
21 send vouchers and explanations, the same way as you
22 can do it vis a vis the Pilotage Authority, if you
23 realize that they do not correspond with the accounts
24 sent out and they are not the expenditures and deductions
25 which correspond to what they should be.

26 THE WITNESS: This is for the year 1962.
27 This year 1963 I met with Leary and Dox and asked for
28 another system, the system which is in force at present
29 in Cornwall with Captain Edwards whereby a copy of the
30 bank deposits would be sent out to us every time a company



1 French

2 pays. So every time we have a copy of the deposit. We
3 can follow all the money coming in or going out and
4 also we use the source form. That was the beginning.
5 It started very slowly but it is working much more
6 smoothly now. There have been mistakes made, of course,
7 but maybe in the end we will work it on the right rate.

8 MR. LALONDE: Your lordship, I would like
9 to tell you that the Canadian Pilotage Authority, we
10 consulted with the American Pilotage Authorities, Captain
11 Metchener.

12 THE CHAIRMAN: That is what I wanted to
13 point out.

14 MR. LALONDE: I would like to say here that
15 there has been discussion with the representatives of
16 the Canadian Pilotage Authority in this respect. The
17 attitude, in the course of the conversation between
18 myself and Mr. Alan Cumyn in Ottawa was such that
19 certain views were expressed. The powers of the
20 Canadian Pilotage Authority were limited to the
21 verification, the cost factum of the expenses of
22 administration on the American side. This, of course,
23 is a point of dispute between the Canadians and the
24 Americans, namely, to know whether the Canadian
25 Pilotage Authorities had no power whatsoever, previous
26 consultation or previous examination of the expenditures
27 authorized by the American Association or the American
28 administrator in Washington. My interpretation is
29 that the International Agreement makes it possible to
30 have at least a previous consultation.



1 French

2 THE CHAIRMAN: That is at least logical.

3 MR. LALONDE: I would like to ask the
4 Commission to examine this question when studying the
5 International Agreement.

6 THE CHAIRMAN: This is not a one-way
7 question. The Government of Canada may decide to make
8 extraordinary expenditure; then the Americans will
E2 9 not accept it as such. To put the thing in absurdum,
10 if the Americans decided to have extraordinary expend-
11 itures, to have a fantastic, gigantic pilot boat, in
12 that case they will have to have a say in the matter,
13 and the Canadians; something must be done so that an
14 expenditure can be checked.

15 MR. LALONDE: The correspondence that
16 took place between the Pilotage Authority and myself,
17 there was at least a letter from Mr. Alan Cumyn on the
18 matter.

19 THE CHAIRMAN: This question will have to
20 be elucidated in Ottawa.

21 THE WITNESS: The Corporation, may I make
22 it quite clear, has tried by correspondence to get those
23 details. We cannot get them. We have asked, for
24 instance, or the Corporation has asked to see the
25 contract that the American association has with
26 Leary and Dox. We have not had a reply.

27 THE CHAIRMAN: Would you like to check in
28 your files and submit this correspondence and would
29 you like to file it in a bundle as Exhibit No. 863?
30



1 French

2 ---EXHIBIT NO. 863:

Bundle of correspondence
with American Association.

4 THE CHAIRMAN: Any further questions?

5 Do you have any other questions to put to Mr. Saucier?

6 We have got plenty of time. We still have got a quarter
7 of an hour at our disposal.

9 CROSS-EXAMINATION BY MR. BRISSET:

11 Q. Mr. Saucier, in the computation of
12 turns for the purpose of the Corporation, is the pilot
13 allocated half turns or double turns for certain
14 trips or transits?

15 A. Only the half turns that we have allocated
16 were for meetings of the Board of Directors. That is
17 all.

18 Q. There are no examples such as
19 exist in other Districts of half turns allocated for
20 a trip which would be performed only in part of the
21 District waters?

22 A. No.

23 THE CHAIRMAN: We have not heard here that
24 there were some statistics. Does it mean that there are
25 no statistics?

26 MR. LALONDE: I think that the D.O.T.
27 statistics have been filed.

28 MR. JACQUES: There were no statistics
29 filed for the effective pilots.

30 MR. LALONDE: I think we had four additional



1 French
2 pilots. The effective number was always in the maximum
3 amount.

English 4 MR. JACQUES: Your lordship, for the few
5 moments we have remaining at our disposal, I obtained
6 from the D.O.T. in Ottawa data available at the data
7 processing centre for marine pilots. This document
8 gave us the information which may be obtained through
9 the I.B.M. apparatus quite rapidly. Naturally all the
10 Districts are not covered equally and for the same
11 number of years. I would suggest we file this document
12 as an exhibit and to obtain from the D.O.T. a copy
13 of the document, something from the I.B.M. machines.
14 Each party concerned will have all the time at its
15 disposal to ask for the statistics if required, basing
16 itself upon the document, which includes the class
17 of vessels in the Montreal District, the tonnage,
18 draught, the name of the ship, the name of the business
19 agent, the expenses and includes also the number of
20 hours piloted to hours of detention, the number of hours
21 at anchorage, plus where the pilot went on board and
22 when he dropped off.

23 THE CHAIRMAN: In other words, all the data
24 which may be obtained through the data processing
25 centre?

26 MR. JACQUES: That is correct. Instead
27 of asking for statistics at random, vis a vis the
28 machine, I find our exhibit has been such whenever we
29 submit statistics, the parties write me and always
30 ask us to add information on it. Of course, this is



1 English

2 the kind of duplicate work and the parties may ask for
3 the required information.

4 THE CHAIRMAN: This will be filed then
5 as Exhibit 864.

6
7 ---EXHIBIT NO. 864:

Data available at the
data processing centre
for the Marine Pilotage.

8
9
10 MR. LALONDE: I have a proposal to make,
11 and that is sell the I.B.M. machine and in that way
12 distribute the profits to the pilots. We add that to
13 the rate of pilotage dues.

14 THE CHAIRMAN: This is only a list of
15 information provided by the I.B.M. machine. We may
16 ask the machine, in return, to reach conclusions from
17 the information.

18 MR. BRISSET: Your lordship has asked the
19 question on effective pilots which brought back to my
20 mind the fact that when we obtained statistics from
21 the D.O.T., we have been supplied with statistics
22 similar to those tabled in the other District. In the
23 case of the Cornwall-Cape Vincent District the D.O.T.
24 did not supply, if I understand correctly, to the
25 counsel for the Commission a copy of the statement
26 I received but with the authorization of the Commission,
27 I would like to, just the same, file that document
28 as it is similar to those filed in other Districts.

29 THE CHAIRMAN: This would be Exhibit 865.
30



1 English

2 ---EXHIBIT NO. 865:

District earnings of
workload for the years
1961 and 1962 for Great
Lakes Pilotage District
No. 1, Cornwall to Cape
Vincent.

3
4
5
6 MR. BRISSET: It includes a statement of the
7 earnings of pilots not only for the restricted waters
8 for also for the open waters of the Lake.

9
10 MR. LALONDE: Subject to subsequent evidence
11 your lordship.

12 THE CHAIRMAN: So this is for the years
13 1961 and 1962 and not for the years 1962 and 1963?

14 MR. BRISSET: For the navigation season 1961
15 and the navigation season 1962, both.

16 MR. JACQUES: May it please the Commission,
17 we also obtained a list similar to the list of accidents
18 or incidents in which pilots are involved but in the
19 cases where there were no pilots, this list includes
20 an index and covers the District of B.C., Prince Edward
21 Island, Newfoundland, Nova Scotia, Quebec and Great
22 Lakes Ontario. To that list there is also attached
23 a list of accidents in Churchill in the case where
24 pilots were on board vessels. I would like to file
25 that document as Exhibit 866.

26
27 ---EXHIBIT NO. 866:

28 Reported list of
casualties where no
pilots were involved
29 for the Provinces where
there are Pilotage
Districts and where pilots
30 are involved for Churchill.



1 English

2 MR. JACQUES: This report contained an
3 explanatory letter which should remain attached to the
4 document.

5 THE CHAIRMAN: So that is filed with the
6 authorization to the interested parties to examine the
7 person who has completed such a list when we are
8 holding our hearings in Ottawa. We still have three
9 minutes at our disposal. Are there any further questions?

10 MR. JACQUES: No your lordship, I no longer
11 have any documents to file.

12 THE CHAIRMAN: We stand adjourned until
13 2:30 this afternoon.

14

15 ---LUNCHEON ADJOURNMENT.

16

17 * * * * *

18

19

20

21

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27

28

29

30



TT/RPS 1 French

2 ---UPON RESUMING AT 2:30 P.M.

3

4 EUCHER DESGROSIELLERS, Sworn

5 (THROUGH THE INTERPRETER.)

6

7 THE SECRETARY: What is your occupation?

8 THE WITNESS: Pilot.

9 THE SECRETARY: In what District?

10 THE WITNESS: Montreal-Kingston.

11

12 DIRECT EXAMINATION BY MR. JACQUES:

13

14 Q. How old are you?

15 A. 62.

16 Q. You are a pilot?

17 A. Yes.

18 Q. A pilot on the contract of the

19 Canadian Steamship Lines?

20 A. That is correct.

21 Q. Ever since when have you been working
22 with the C.S.L. as a pilot?

23 A. As a pilot for 36 years.

24 Q. Are you a holder of certificates
25 as a master in the waters, coastal?

26 A. No, I was inland.

27 Q. Before becoming a pilot, I suppose
28 that you have navigated?

29 A. Yes.

30 Q. Can you tell us this, when you started



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

Desgrosiellers, dir. ex.
(Jacques) 11523

1 French

2 your navigation career?

3 A. I started in 1916.

4 Q. Where?

5 A. Montreal-Kingston. On boat tugs for
6 the Montreal Transportation Company.

7 Q. When did you obtain your mate inland
8 certificate?

9 A. In 1921 or 1922, I think.

10 Q. Have you navigated as an officer on
11 board a vessel?

12 A. Yes.

13 Q. In what part of the world have you
14 sailed as an officer?

15 A. Montreal to Fort William.

16 Q. You passed your whole life as a seaman
17 on the Great Lakes?

18 A. Yes.

19 Q. Would you please tell us what is the
20 nature of your work as a pilot in Canada Steamship
21 Lines?

22 A. When we leave Caughanawaga Canal, I
23 start to work the boat to Beauharnois and then I take
24 it to Valleyfield and up to the entrance of Snell Lock.
25 From Eisenhower Lock to Iroquois, from Iroquois I go
26 to Cape Vincent or Kingston.

27 Q. So, if I understand you properly,
28 you act as a pilot on board the vessel between Montreal
29 and Kingston with the exception of the locks?

30 A. Yes.



1 French

2 Q. You don't do the locks?

3 A. No, or the canal.

4 Q. Who does that?

5 A. The ship's master.

6 THE CHAIRMAN: Nor the Lakes?

7 THE WITNESS: Yes, I work on the Lakes,
8 Lake St. Louis.

9 Q. Do you ever board vessels at
10 Kingston in order to take them to Montreal?

11 A. Yes. Usually we take them there.
12 Sometimes we go to Iroquois. If we are not on time
13 at Cape Vincent, we take a taxi and we board the
14 vessel at Iroquois.

15 Q. When you sail, is it the same thing --
16 you don't go through the locks?

17 A. That is right. I do everything with
18 the exception of the locks.

19 Q. Who goes into the locks?

20 A. The ship's master.

21 Q. Do you go on board all vessels of the
22 Canada Steamship Lines, which transit Kingston, at
23 Montreal?

24 A. Yes.

25 Q. On all vessels?

26 A. Well, all those who ask for a pilot.
27 When they ask for a pilot we are called to duty and go
28 on board the vessel.

29 Q. This year, how many trips have you
30 performed?



1 French

2 A. 75 from Montreal to Cape Vincent.

3 Q. 75 transits or return trips?

4 A. 75 trips. That is half to go upbound
5 and half downbound.

6 Q. How many hours does it take you from
7 Cape Vincent to Montreal?

8 A. Everything is dependent on the state
9 of the tides. We can go down in 18 hours. Sometimes
10 22 to 24 hours. One trip took me 45 hours.

11 Q. How come it took you 45 hours?

12 A. We were delayed because of the fog,
13 and then they closed the Iroquois Lock for a whole day
14 and we were forced to anchor.

15 Q. Of course you were a pilot before the
16 Seaway was opened?

17 A. Yes.

18 Q. At that time you were piloting a
19 vessel at Montreal also?

20 A. Yes.

21 Q. There were the old canals?

22 A. Through St. Clarens.

23 Q. What vessels did you pilot?

24 A. I pilot all grades, big liners,
25 730 feet vessels of the Canada Steamship. Always
26 working for the same company. As well as package
27 freights.

28 Q. Could you please tell the Commission
29 how you got to know the new Seaway upon its opening?

30 A. Upon the opening of the Seaway, we did



1 French

2 a couple of trips on board the Government vessel, starting
3 from Iroquois to Prescott, and we performed one or two
4 trips from the head of Morrisburg to Iroquois. For the
5 rest, we had to learn about the buoys, the range lights,
6 and so forth.

7 Q. When you tell us you were on board
8 a Government vessel, who told you to go on that ship?

9 A. Mr. Dotty had advised us to go to
10 such and such a place to board a vessel if we wanted
11 to see the new Seaway and go on board that vessel to
12 go with it to Prescott.

13 Q. Who was accompanying you at that time?

14 A. There were my two brothers.

15 Q. Are they the pilots of the C.S.L.?

16 A. Yes. Now, I have only one brother
17 and there was a Mr. Amand.

18 Q. Who is he?

19 A. He was a pilot with St. Amand Seaway
20 and he is retired today. There was also Mr. Lavalle
21 a pilot on the tour de roue.

22 Q. In what District?

23 A. He is a pilot between Montreal and
24 Cornwall.

25 Q. Besides that?

26 A. During that time there were a couple
27 of others, but I don't know their names.

28 Q. What did you do during that trip?
29 Was that trip a pleasant trip?

30 A. Well, in order to find out what was



1 French

2 going on, to find out if there was a great deal of
3 difference that the old ships handle, and we found it
4 was even easier than before the new Seaway was opened.

5 Q. So far as the rest of the Seaway was
6 concerned, did you have to adapt to new conditions?

7 A. No, not at all. I adapted myself
8 100 per cent ever since the beginning. Up to now I
9 never had any difficulty.

10 Q. How could you learn about the new
11 currents in the Seaway?

12 A. The new currents in the Seaway, I
13 think it was slightly abated. There was a great deal
14 of strong current between Iroquois and the head of the
15 Cornwall Canal. But, as soon as the depth was increased
16 then naturally the current disappeared and the strongest
17 current is two knots today.

18 Q. You are a pilot on board vessels.
19 Do you train the masters and mates of these vessels?

20 A. Yes.

21 Q. How?

22 A. Well, we indicate to them the places
23 where they may anchor. In cases where there is fog,
24 what they should do and so forth.

25 Q. To the ship's mates?

26 A. Yes.

27 Q. Is that part of your duties?

28 A. It is supposed to be because these
29 officers are there to learn. If they ask us questions,
30 we answer. Where is such and such a mark, landmark, and



1 French

2 so forth. They ask questions about range lights and
3 if there are any changes we tell them about them.

4 Q. Mr. Dotty would like to show you a
5 photographed copy of a document, a letter dated February
6 26th, 1963, signed by Mr. Baxter the Vice-President
7 and Operating Manager of Canada Steamship Lines Limited.

8 Would you please look at this letter and
9 tell me if the signature at the bottom is yours?

10 A. Yes.

11 Q. Does that document constitute the
12 agreement between you and the company for availability
13 of your services?

AA2 14 A. Yes.

15 MR. JACQUES: I would like to file this
16 document as Exhibit 867.

17
18 ---EXHIBIT NO. 867:

Contract between the
witness and Canada Steam-
ship Lines, letter dated
February 26th, 1963.

19
20
21 Q. Do you participate in pension plans
22 of the company?

23 A. Yes.

24 Q. Do you participate in any benefits
25 such as hospital insurance, illness insurance?

26 A. Yes.

27 Q. Mr. Desgrosiellers, would you please
28 tell us about your reaction when there were ocean-going
29 vessels going through the Seaway?

30 A. My reaction was the following. I was



1 French

2 used to the Upper Lakers and we were taking them
3 down to Prescott. Consequently my reaction is not strong
4 so far as taking them down. But, the other vessels
5 such as the Great Lakes vessels, we didn't take more
6 notice of them as we did before. Everything was
7 working as smoothly as before, and I was used to them
8 in the older canal, the Cornwall Canal, and afterwards
9 we found it was increased in these vessels. But, my
10 reaction was not too great.

11 Q. Do you, at a time, pilot vessels whose
12 bridge is aft?

13 A. Yes, I have. These aft bridge vessels --
14 yes, I piloted many of them.

15 Q. Did you notice any difference with the
16 vessels where the bridge is in the middle or in the
17 front?

18 A. No difference whatsoever. The
19 visibility is as good aft, and to tell you the truth the
20 aft wheel on boats I have piloted extended 500 or 560
21 feet in length. The big vessels of 630 feet long --
22 well, I didn't have an opportunity of piloting them.
23 But, I usually have no trouble.

24 Q. You are familiar with the American
25 strait which is called the American Narrows?

26 A. Yes, of course.

27 Q. You know the place well?

28 A. Yes.

29 Q. Would you please tell us if you ever
30 had the opportunity of trying to make a half turn or



1 French

2 stopping in that Narrows?

3 A. You mean under stress of weather?

4 Q. Yes, fog.

5 A. I was once submitted to fog, but ever
6 since there has been radar on board. We will proceed
7 forward and still slow down because we have radar,
8 and this way we don't have to anchor because this is
9 a bad spot to anchor because whenever we anchor we get
10 the vessel on one side or the other and touch rock.
11 It is quite narrow. But, I never anchored or dropped
12 anchor in the middle of the islands although I went
13 below or up.

14 Q. Before you had a radar on board, what
15 did you do?

16 A. We were on small lakers of 250 feet
17 length. Consequently we did not have too much trouble
18 getting out of that situation.

19 Q. You also know about the Brockville
20 Narrows. Did you have occasion to try to stop in the
21 Narrows?

22 A. I stopped once, two years ago in
23 Murray Bay up at Brockville. I was caught by the fog,
24 and the radar was working and when the master came
25 up he told me that the radar was not aligned accurately
26 and I was 10 or 12 degrees in a drift.

27 When I reached the proper point to turn,
28 I gave a full wheel and we dropped anchor and we stayed
29 there and when the fog lifted we went to the head of the
30 Brockville Narrows and we turned on the other side and



1 French

2 we came down.

3 Q. You also knew the practice of landing
4 a man on the locks with a landing boom. You are aware
5 of this practice?

6 A. Yes, of course.

7 Q. As a pilot, do you think that has some
8 disadvantages?

9 A. No disadvantages. It is the captain --
10 when he goes through the locks he might be the one that
11 has the disadvantages. At the time, if he needs help
12 of course we are ready to help him.

13 THE CHAIRMAN: What is the disadvantage to
14 the captain?

15 THE WITNESS: If the captain was to fall ill
16 or if he did not feel very well at that time, it would
17 be very difficult.

18 Q. You say that it has disadvantages for
19 the captain. Is that what you said?

20 A. Yes.

21 Q. What are the disadvantages for the
22 captain?

23 A. What I was telling you. Maybe I
24 didn't use the right words. If the captain falls ill,
25 something is wrong with him at that time, I wonder if
26 it is better to do one thing or other -- we are given
27 an opinion.

28 Q. Were you a witness to accidents by
29 using a landing boom?

30 A. I witnessed once.



1 French

2 Q. What happened -- did somebody die?

3 A. No. No. The man fell on the ground.

4 Q. How long ago?

5 A. About 15 years ago, maybe more.

6 Q. The master has to make a manoeuvre by
7 sending a man on shore. Does the man miss the shore
8 sometimes? Does it happen that the captain has to help
9 sometimes?

10 A. No. I don't think so. I seen it
11 happen. Usually it is done quite easily, quite quietly.
12 Sometimes it can happen before we reach the platform.

13 Q. In the locks?

14 A. No, no, no. I haven't had any trouble
15 in the locks in this respect.

16 Q. In the approach to the locks, tying-
17 up wall?

18 A. Yes. The tying-up wall -- sometimes
19 we have difficulties when we make the approach to the
20 wall to get near to the quay. We landed the anchor --
21 that helps us.

22 Q. Who does this manoeuvre? Is it you
23 or the captain?

24 A. It is the captain.

25 Q. When you are a pilot in the open
26 waters between the locks, you do the piloting between
27 the locks in the Lakes for instance?

28 A. That is so.

29 Q. Do you have any difficulties with
30 traffic?



1 French

2 A. No. Sometimes we have minor
3 difficulties. If a boat is anchored, it may be in the
4 way and we have to go around this boat. We must be
5 careful that he is at the bottom of the chain, and we
6 have of course to go around it carefully.

7 Q. Does it happen that the boats sail
8 in the centre of the channel and do not go to the side
9 to leave you the right of way?

10 A. Yes. It happens several times. We
11 ask the right of way and get a reply that it is too
12 difficult, we can't do better.

13 Q. During your career, did you have an
14 opportunity to give any advice to officers on board
15 the ships on which you were, officers who later on
16 became pilots?

17 A. Yes. That happened quite frequently.
18 Particularly on board the ships of the Canada Steamship
19 Lines. Forty per cent of the pilots today were masters
20 and second mates before.

21 Q. I'd like to have your opinion. You
22 do not have to reply if you do not want to. According
23 to you, what is the best possible way to become an
24 efficient pilot between Kingston and Montreal?

25 A. The best way for the pilot to become
26 an efficient pilot is to take the route he knows himself,
27 to go along that way. If not, if there is a worse one --
28 besides, he can learn, but if a pilot was holding the
29 wheel himself he knows more what he is doing and he can
30 learn better what he is doing.



1 French

2 MR. JACQUES: Thank you.

3
4 CROSS-EXAMINATION BY MR. LALONDE:

5
6 Q. Have you already piloted ships other
7 than the C.S.L. ones?

8 A. I piloted them last year. The St.
9 Lawrence, the McCaul Frontenac, the Misener and the
10 Norris. Not all the time. Occasionally one trip here
11 and one trip there.

12 Q. When you mention the first years,
13 when was that?

14 A. Between 1938 and 1940. 1937, 1938 and
15 1940.

16 Q. Since there has been a group of
17 licensed pilots established in the Montreal-Kingston
18 District, have you piloted boats other than the
19 C.S.L. ones or others?

20 A. I have been piloting every size.

21 Q. Your brother and yourself are pilots
22 in the C.S.L. at the present time?

23 A. That is so.

24 Q. The two of you pilot all of the boats
25 of C.S.L.?

26 A. Yes, all boats, because certain ships
27 do their own piloting. The company sends us on board
28 certain ships to help them go down or upstream.

29 Q. You say that certain ships of C.S.L.
30 do their own piloting?



1 French

2 A. Yes. The other ships, they knew
3 nothing about it. We had our own by ourselves and
4 we consider them as officers, mates, or masters.

5 Q. Do you know if the company has trained
6 staff in order to take over from you?

7 A. Yes. I think they do some training.
8 There are masters who ask us some advice. They ask us
9 to show them how to pilot and they put questions to us
10 and say, how do you do this and how do you do that.
11 We try to give them the best possible explanations,
12 or course.

13 Q. Do you use a radar?

14 A. Yes.

15 Q. Do you use a radar?

16 A. Yes, of course very often.

17 Q. Where did you learn to use a radar?

18 A. Out of practice and experience. In
19 the daytime when the weather was nice, I learned from
20 there.

21 Q. To your knowledge, are there officers
22 who have signed articles on several C.S.L. boats and
23 transferred their ships and do occasional piloting?

24 A. I think there is only one. Possibly
25 one. I am not certain.

26 Q. Do you know their names?

27 A. Yes. Captain Kerki does the trip
28 upstream and disembarks at the channel. He signed the
29 articles.

30 Q. Is he a captain?



1 French

2 A. He is a former captain from the
3 Canada Steamship Lines.

4 Q. Is he retired?

5 A. No. He still has a little while to
6 go before he retires.

7 Q. The other person to whom you referred
8 was who?

9 A. The other?

10 Q. You said there were two.

11 A. Yes, maybe. The name escapes me.
12 I cannot remember the name, I am sorry.

13 Q. Do you know there has been a decrease
14 in the number of lake ships since 1959, an increase
15 in the size of the ships, as you know?

16 A. Yes.

17 Q. Could you tell us how frequently the
18 C.S.L. ships, which you pilot, go through this District --
19 the same boat, for instance. The Murray Bay, for
20 instance, how many times per month would she go between
21 Montreal and Kingston?

22 A. That would depend on the trips. She
23 may go down. She may do one round trip a week.

24 Q. Do you know if that is more or less
25 the average?

26 A. It depends. There are some boats which
27 are plying twice a week. Going twice a week down and
28 twice a week up.

29 Q. For two or three boats?

30 A. Yes. Going down or going up, two or
three boats.



MR/RPS 1 French

2 Q. Is there an agreement with the company
3 concerning the rest periods to which you would be
4 entitled between the various trips which you do?

5 A. Yes, there is an agreement with our-
6 selves. The captain takes the boat at St. Lambert to
7 Caughnawaga and then I can rest for a while. For four
8 hours, for instance, in the channel. I can rest for
9 a while and then from Cat Island to Cape Vincent I can
10 also rest.

11 Q. When you disembark at Cape Vincent
12 you disembark in the American pilot boat?

13 A. By Mr. Dougan, the Canadian pilot boat.
14 If there is another boat within four or five hours to
15 be taken down, we stay there.

16 Q. Who gives you these instructions?

17 A. We have an agent in Kingston to tell
18 us what to do.

19 Q. Is there a minimum amount of time
20 between each trip in which you can refuse to go on
21 another ship?

22 A. For instance, we want to rest sometimes,
23 we are told we cannot. Sometimes we are told we can
24 if the captain does his own piloting. Then, of course,
25 we can go down and have a rest but usually we can't
26 refuse to do the piloting. Certainly I can't.

27 Q. You have mentioned what happens some-
28 times when you are embarking after four or five hours
29 on another boat.

30 A. This happened to me recently. After



1 French

2 four or five hours of rest, I slept for four hours and
3 I woke up and then I went on another boat.

4 Q. During the normal season, during the
5 summer, for instance, are the rest periods longer?

6 A. Yes, they are slightly longer because
7 they are more frequent the trips. Many more trips and
8 takes more time to go down. Sometimes we have to be
9 at anchor and therefore for two or three hours we have
10 to rest. Sometimes we are delayed at Snell Lock, for
11 instance.

12 Q. In the summer when you disembark at
13 Alexandria Point, the waiting periods while you wait for
14 the next boat, are they longer?

15 A. Well it depends. You never know
16 beforehand. You never know what is going to happen.
17 Sometimes we stay there six hours, ten hours, twelve
18 hours or a whole day and sometimes we go down by train
19 to Montreal.

20 Q. How often have you travelled by train
21 this year between Montreal and Kingston one way or
22 another?

23 A. On an average of about four train
24 trips per month. Certain months made five trips by
25 train.

26 Q. How many boat trips do you do per week
27 on an average?

28 A. Two or sometimes three as an average.
29 The maximum you can do is three.

30 Q. How many trips has the C.S.L. got



1 French

2 plying between Montreal and Kingston?

3 A. At present there are 36, if I am not
4 mistaken.

5 Q. Were they all in use this year?

6 A. No. Some of them stayed upstream.
7 Three of them, three of the colliers have different
8 flags and they have to take sometimes one pilot, some-
9 times another.

10 Q. How many have effectively tried,
11 approximately?

12 A. I cannot tell you. Some goes as
13 far as Toronto, some as far as Montreal; regards the
14 package freighters so I can't tell you exactly; can't
15 be accurate.

16 Q. You are the holder of a licence given
17 by the Pilotage Authorities as a permanent licence.
18 You don't have to renew it every year?

19 A. No, it is a permanent one.

20 Q. Do the Pilotage Authorities ask you
21 at intervals to undertake a checking of physical
22 fitness? Eyesight examination?

23 A. Yes. Never for the general checkup.

24 Q. Were you called on last year?

25 A. No.

26 Q. And before that?

27 A. Every other year.

28 Q. Has it always been the case or only
29 since you reached a certain age?

30 A. Before it was every other year. Since



1 French

2 1934 it is every other year.

3 Q. Now did it happen to you at any time
4 you would have either an accident or an incident like
5 going against a wall or pier too hard or something?

6 A. No no, not a wall, not a lock.

7 Q. Did you have an accident while sailing?

8 A. While sailing I have had a collision
9 with the KEYVIVE. I was right. I was in the right
10 but because the other boat came too quickly and didn't
11 do the right manoeuvres.

12 Q. My question is to know what you do in
13 the case of an accident. Do you do the report or does
14 the captain do it?

15 A. The captain does the report.

16 Q. Do you have to make a report?

17 A. No. I just have had to sign once
18 something in the case where there was a dint. It was
19 just a minor little thing. I had to sign a paper
20 and that is the only time.

21 Q. And the report was prepared by yourself
22 or by the captain?

23 A. The report was prepared by the captain,
24 I believe. I am not sure.

25 Q. In the other case the report was
26 prepared by the captain?

27 A. Yes, that was for the accident from
28 the channel.

29 Q. To whom are the reports sent out?

30 A. They are sent out to the company.



1 French

2 Q. Do you have any reports or any writing
3 of that type with the Pilotage Authority?

4 A. Well we were accustomed to sailing
5 a number of vessels each time of departure, time of
6 arrival and today they tell us to stop that procedure.

7 Q. Who told you that?

8 A. The Superintendent of Pilots.

9 Q. What is his name? Mr. Melanson?
10 Captain Edwards?

11 A. Mr. Melanson. It is no longer necessary
12 to make reports.

13 Q. When were you told that?

14 A. About four years ago.

15 Q. Was the new Seaway open at that time?

16 A. No.

17 Q. Before that?

18 A. We were told to stop making reports
19 a year before the opening of the Seaway.

20 Q. Did you ever have any trouble with the
21 bridges through the canal at Beauharnois?

22 A. I was on board vessels where there was
23 difficulty.

24 Q. Would you please explain. First, what
25 vessel?

26 A. The PRESCOTT.

27 Q. So what happened at that time?

28 A. We were going downstream very slowly
29 and we gave a whistle for the bridge the way we were
30 supposed to, and they flashed a red light, and then we



1 French

2 went on downstream very slowly.

3 Q. What is the flashing red light? What
4 does it mean?

5 A. It means well you may come. So at
6 a certain time they stop flashing the red light, so
7 we reversed the engine and stopped there and as this
8 current is quite strong, we still went up front, and then
9 we were going in the reverse a little in order to stop
10 the vessel and they flashed the light once more and
11 as it happened the captain was going to take a sheer
12 to go crosswise, he once again went forwards. At the
13 same time he stopped once more and they stopped the
14 light again but we couldn't drop anchor and we were
15 crosswise under the bridge, but there was no damage.
16 Everything ran smoothly after that.

17 Q. I understand that you do not undertake
18 any pilotage in the canal. You may ~~feel~~ free
19 not to answer, if you are not in a position to answer
20 the following question, but the tour de role pilots
21 have suggested there should be a radio-telephone system
22 connected directly to the bridge. Do you think it
23 would be useful?

24 A. Yes, because when the bridge does
25 not lift at times we have to call the dispatcher at
26 Beauharnois and if it is a train bridge, we have to
27 call the dispatcher if everything is not done fast
28 enough and we may not keep the vessel under control at
29 all times in order to stop on time and in case there
30 would be something that would go wrong at Beauharnois



1 French

2 they have an anchorage area. We can turn around before
3 reaching it, because being too near it in order to give
4 us a good chance to arrive on time.

5 Q. Do you do the manoeuvring at the
6 arrival at Snell Lock or Iroquois Lock?

7 A. Once in a while, but if ship's master
8 does not feel too good, we have to replace him. Well
9 this happened, I don't know how many times but it may
10 happen once, twice or three times a year.

11 Q. When you talk about the ship's master
12 is it always the ship's master who accomplishes the
13 manoeuvre or the first mate?

14 A. Always the ship's master.

15 Q. And does the same thing apply for the
16 canal and the locks?

17 A. Yes.

18 Q. The second person you referred to
19 beforehand who would be perhaps in training or who would
20 at times assume the functions of pilot would not be
21 Captain Donaldson?

22 A. Yes, that is it.

23 Q. Thank you.

English 24 COMMISSIONER SMITH: Captain can you answer
25 in English?

26 THE WITNESS: I am not very good -- I can
27 answer in English but not too good.

28 COMMISSIONER SMITH: I think you can answer
29 this in English. I will take a chance. These ships
30 that you pilot under contract with the C.S.L., I take it



1 French

2 because of their Commonwealth registry are exempt from
3 the payment of pilotage dues? Is that right?

French 4 THE WITNESS: Would you repeat in French?

5 MR. JACQUES: (Repeats question in French.)

6 THE WITNESS: I know that three are under
7 British registry and they are forced to take a pilot on
8 board and pay them.

9 MR. JACQUES: They have to take a pilot
10 on board?

11 THE WITNESS: A tour de role pilot.

12 MR. JACQUES: You mentioned British Registry
13 but you don't mean Canadian registry?

14 THE WITNESS: No, British registry. For
15 example, well there may be the Bermuda registry. Those
16 of Bermuda, they take a pilot at Cape Vincent to go to
17 the Snell Lock and another goes on board at Snell
18 Lock to go to Montreal.

BB2 19 THE CHAIRMAN: Mr. Smith's question
20 went further. The boats you pilot usually for the
21 C.S.L. are they ships that are exempt from pilotage dues?

22 THE WITNESS: Yes.

23 THE CHAIRMAN: In other words, if you were
24 not there and if the ships' masters can do the work,
25 he would do it?

26 THE WITNESS: Yes.

27 THE CHAIRMAN: Without being forced to pay
28 pilotage dues or to pay to the Pilot Corporation?

29 THE WITNESS: Yes. Whenever we are
30 available, well we are sent on board.



1 French

2 MR. JACQUES: Now a question Mr.
3 Desgrosiellers. You and your brother, do you both pilot
4 these ships of the C.S.L. sailing between Kingston and
5 Montreal?

6 THE WITNESS: Yes.

7
8 FURTHER DIRECT EXAMINATION BY MR. JACQUES:

9
10 Q. All of them?

11 A. Yes, all the ships. As I told you
12 beforehand if we are available, then we are sent on
13 board the vessels, where they are used to undertaking
14 their own pilotage, but we are sent on board so as not
15 to be kept idle.

16 Q. Is it compulsory for vessels of the
17 C.S.L. to take you as a pilot?

18 A. Yes.

19 Q. Consequently, there are no ships
20 of the company sailing between Kingston and Montreal
21 without a pilot on board?

22 A. If they go up to Kingston without
23 a pilot? Some may go up without a pilot on board.

24 Q. Do you know if the company or the
25 captains ever ask for your services or not?

26 A. Well there are certain masters who
27 ask for us whenever we are available.

28 Q. And others do not ask for your
29 service?

30 A. That is right. They go on as they



1 French

2 started. If they don't ask for our service when we are
3 there, we take the best means to send them a cable,
4 stating we are waiting for them at Cape Vincent or
5 Kingston in order to take them downstream.
6

7 CROSS-EXAMINATION BY MR. LALONDE:

8
9 Q. Could you please tell us what is the
10 percentage of ships of the C.S.L. sailing, let us say,
11 from Cape Vincent and when they are going downbound
12 don't take any pilot on board either tour de role pilots,
13 licensed pilots or either yourself or your brother?

14 A. It is difficult to give an accurate
15 answer because certain vessels take some pilots; others
16 don't, and so forth. Whenever there are some pilots
17 available, they are sent on board.

18 Q. Do you know if masters, when they
19 don't take a tour de role pilot, or yourself, if they
20 receive a remuneration if they pay the pilotage?

21 A. I don't know. This is an agreement
22 between themselves and the company and I couldn't give
23 you any answer about that.

24 Q. What are the names of the three
25 vessels under Commonwealth registry or British registry?

26 A. The ESKIMO, the COVERDALE and the
27 STADACONNA.

28 Q. Do you know Captain Coleman?

29 A. Yes, very well.

30 Q. To your knowledge would Captain Coleman



1 French

2 have made any pilotage on board a C.S.L. ship?

3 A. I know that he did so on board the
4 KENORA at the time of the St. Lawrence Canal, the old
5 canal.

6 Q. Last year?

7 A. I couldn't tell you.

8 Q. Now do you use the Kingston channel
9 at the north of Wolfe Island?

10 A. Yes, I know that area well.

11 Q. Do you use it infrequently or frequently?

12 A. This year I went three or four or
13 five times with large vessels.

14 Q. 750-foot vessels?

15 A. Well about 585 feet or 635 or 636-foot
16 vessels and also one 730-foot in length. Even before
17 they dredged I had one more than 800 feet in length.

18 Q. What is your opinion, according to
19 your experience, regarding the usefulness of that channel?

20 A. Well its usefulness is quite good
21 up to 23 feet of draught because it would exert a great
22 deal of expense for outside pilots, as well as for
23 ourselves. Let us say that a vessel which has a speed
24 of 17 to 18 knots, well you may save 15 or 20 minutes
25 time by going through -- if it passes through Kingston,
26 it takes 15 or 20 minutes but passing through Picton
27 we save an hour and a half.

28 Q. A vessel going to Welland Canal takes
29 15, 20 minutes more?

30 A. Yes.



1 French

2 Q. Are there certain advantages for a
3 ship sailing on the north side even if it takes 15 or
4 20 minutes more independently from the charges for
5 pilots?

6 A. Well we sailed them past. In olden
7 times nobody wanted to pass by the Cape. Everybody
8 was used to the Kingston area and they wanted to pass
9 there. Ever since the opening of the Seaway they asked
10 to go on passing off the Cape. I don't know for what
11 reason because the channel is as good, as nice on the
12 other side as it is on this side.

13 THE CHAIRMAN: The few times you passed
14 through Kingston why did you do so?

15 THE WITNESS: In order to take the vessel
16 upbound to Picton. We go off at Kingston and then they
17 proceed forward.

18 Q. In your own opinion do you think that
19 a master can undertake all by himself the pilotage from
20 Kingston to Montreal?

21 A. Well there are certain of them who
22 do it.

23 THE CHAIRMAN: Including the locks?

24 THE WITNESS: Well I wouldn't say that all
25 do that but some of them do.

26 Q. He would undertake the pilotage even
27 in the locks and the canal?

28 A. Those who do the pilotage have mates
29 to help them out, either the first mate or second mate
30 and in turn pilots on part of the River is always there



1 French

2 to help with the tying.

3 Q. Is it not a fact to say that it is
4 impossible for a single man to undertake the whole
5 pilotage, including the locks of the ship channel and
6 so forth?

7 A. This can be done. Of course this
8 man would be a very tired man at the end of the trip.

9 Q. I think you said that it would take
10 about 18 hours upstream, or rather 18 hours downstream
11 and upstream 22 or 24 hours?

12 A. Everything depending upon the weather,
13 and so forth.

14 Q. Thank you.

15
16 RE-DIRECT EXAMINATION BY MR. JACQUES:

17
18 Q. Captain you must have had the
19 opportunity of navigating with perhaps all the ships'
20 masters of the Canada Steamship Lines?

21 A. Yes, I know them all.

22 Q. Apparently you are an old experienced
23 seaman. Without mentioning any names, the captains
24 and the masters and mates with whom you have sailed,
25 do you think that they are qualified and competent in
26 order to perform their duties between Kingston and
27 Montreal?

28 A. Yes.

29 Q. Does it ever happen that masters do
30 pilotage in your stead while you are on board the vessel



1 French

2 on the Lakes?

3 A. No, when I am on board, I always do
4 my own work myself. Sometimes I let them have a hand
5 at it to practice but I am there to supervise.

6 Q. Do you ever have the opportunity of
7 using radio broadcasting, radio communication?

8 A. Yes.

9 Q. What language do you use on the
10 communications?

11 A. If we have some safety calls, give some
12 safety calls, we give them in English. If I talk,
13 for example, to my brother, at times I speak to him in
14 French. If I speak to one of the pilots, it will be
15 in French. If another pilot does not speak French,
16 I speak to him in English, and so forth.

17 Q. Thank you.

18

19 CROSS-EXAMINATION BY MR. BRISSET:

20

21 Q. Mr. Desgrosiellers, you told us that
22 you made one or two trips on the GRANVILLE in order to
23 navigate the Seaway. You were sent by Mr. Duffy, was
24 that the name?

25 A. That was it.

26 Q. Who was Mr. Duffy?

27 A. He was the agent for Canada Steamship
28 Lines Limited. He was our dispatcher.

29 Q. You told us during your examination
30 Mr. Desgrosiellers that sometimes you met with ships who



1 French

2 were in the centre of the channel, although, you had
3 sent out a signal to them?

4 A. That is so.

5 Q. Who are the boats which do this
6 manoeuvre? Are they ocean-going vessels or others?

7 A. They are partly ocean-going vessels.

8 Q. With pilots on board?

9 A. Yes, with pilots on board.

10 Q. Does it often happen?

11 A. What?

12 Q. Does it often happen?

13 A. Not too often. Occasionally. At
14 that time, of course, we have to go around them.

15 Q. Do you lodge any complaints?

16 A. No, I never lodged any complaints.
17 I still have another couple of years to go and I am
18 not going to start on that now.

19 Q. You have told us that the ships of the
20 Canada Steamship Lines Limited who go upstream with
21 iron ore do one trip per week. Do you mean one round trip
22 back and forth or just one trip upstream one week and
23 one trip downstream another week?

24 A. Round trip, back and forth. Depending
25 where they go, they go to Hamilton. They may do one
26 trip per week. If they go to Lake Erie, if they
27 unload there, then it will take a longer time, nine to
28 ten days, another couple of days or three days more.

29 Q. Therefore, they can do a trip in
30 one week or eight or nine days, if they go as far as the



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TORONTO, ONTARIO

Desgrosiellers, cr. ex.
(Brisset) 11552

1 French

2 Erie Lake. Amongst the ships which you pilot for the
3 Canada Steamship Lines are there ocean-going vessels?

4 A. No, they are all lakers.



/TT/RPS 1

French

Q. Are there any that go further down than the stream in the Gulf?

A. Boats which were piloted, some of them go down to St. Pierre. That is the furthest they go.

Q. Where is that?

A. I know that the ESKIMO goes right to the other side.

Q. Are the others like ESKIMO under the Canadian flag?

A. There is one, FT. CHAMBLY, it goes down once or twice.

Q. Have you piloted it before?

A. Upstream, but not downstream.

Q. Is it an ocean-going vessel?

A. No, lake vessel. I don't know how they manage, but they send it downstream.

Q. "Down" -- what do you mean?

A. It means the other side.

Q. Which other side?

A. The other side of the ocean.

Q. On board the FT. CHAMBLY that went down, was it the captain who was responsible for the locks in the channels?

A. Yes. From Montreal to --- I don't know. But, as far as Montreal, yes.

Q. Was he responsible for channels, locks the one you just mentioned the FT. CHAMBLY? You have piloted her in your District?



1 French

2 A. Yes.

3 Q. Was it the captain who did the locks?

4 A. Yes.

5 Q. As for the lakers?

6 A. Yes.

7 Q. Have you really piloted ocean-going
8 vessels?

9 A. No.

10 Q. On this one?

11 A. No. I never piloted anything else,
12 since I specialized more or less in this company with
13 lakers. I have never piloted ocean-going vessels.

14 Q. You have been on duty on the Great
15 Lakes. You used to go as far as Fort William?

16 A. Yes.

17 Q. At that time you also piloted lakers,
18 didn't you?

19 A. At that time when I went to Fort
20 William I was the wheelsman.

21 Q. You were the wheelsman, weren't you?

22 A. Yes.

23 Q. On the lakers which you piloted or on
24 the FT. CHAMBLY, did you face any difficulty with the
25 wheelsman?

26 A. It happened a couple of times that
27 I had to shout a bit, but that was all. We didn't really
28 have trouble.

29 Q. How do you give your orders to the
30 wheelsman?



1 French

2 A. Well, I tell him, port or starboard
3 or steady.

4 Q. Or by degrees?

5 A. No. I say, port, slow, steady, star-
6 board, slow steady.

7 Q. Do you make signs with your hands
8 when you want to express something?

9 A. It happens sometimes in the curves
10 to make sure they know what port or starboard -- to make
11 quite sure which way they must go.

12 Q. Generally speaking, when you give your
13 orders to the wheelsman, do you give them your orders
14 in French or English?

15 A. In English to Canadians. French to
16 French-Canadians.

17 Q. How do you say it to the Canadians?

18 A. Starboard and port.

19 Q. You use the starboard and port?

20 A. And in case they go wrong, I add right
21 or left.

22 Q. Do you say sometimes in French, port
23 or starboard, and they understand?

24 A. Yes. In other words, I mix French and
25 English.

26
27 CROSS-EXAMINATION BY MR. RICHARDS:

28
29 Q. As a pilot, are you a member of a
30 professional association whatever it is, as a sailor and



1 French

2 as a pilot?

3 A. No.

4 Q. Are you a member of the Canadian
5 Merchant Service Association?

6 A. No. I don't belong to any association.

7 Q. I believe you mentioned earlier on
8 that you had an agreement with your company as regards
9 health or in case of illness. Can you tell us what is
10 the nature of this protection plan which you enjoy?

11 A. If I am ill I am still paid my salary
12 and the company pays in case of illness and still have
13 a pension or retirement fund.

14 Q. Are you a member of an insurance plan?

15 A. Yes. The Zurich insurance plan.
16 I am a member of it.

17 Q. Do you have paid holidays which are
18 paid by the company?

19 A. Do you mean paid when I am ill?

20 Q. No, no, no. I mean yearly holidays,
21 because I see that no paid holidays are mentioned here.

22 A. I work from 1st April to 1st December
23 without any paid vacation at that time. But, afterwards
24 I can do what I want and take another boat and pilot.

25 Q. Do you get a bonus at the end of the
26 year?

27 A. Yes, I do.

28 MR. RICHARDS: Thank you.
29
30



1 English

2 CROSS-EXAMINATION BY MR. MASON:

3
4 Q. I want to clarify one point, if I
5 may. Not all boats belonging to Canada Steamship Lines
6 are piloted downriver by either yourself or your brother.
7 Some boats proceed downbound and you are not on board
8 them, is that right?

9 A. Can you repeat in French. I am afraid
10 I didn't understand your English.

11 THE CHAIRMAN: Maybe we can have interpret-
12 ation of the English into French.

13 Mr. Mason, would you repeat your question
14 unless you want the stenographer to read it back.

15 Q. Pilot, it is not every vessel belonging
16 to Canada Steamship Lines that you pilot down the River.
17 There are some vessels, is it not correct, that proceed
18 down the River without either yourself or your brother
19 on board?

20 A. If the pilot is not there to take the
21 boat, then the captain or the master, if he knows the
22 River, will carry on. As long as we shall embark on
23 the ship either in Iroquois when we go down or somewhere ---

French 25 FURTHER CROSS-EXAMINATION BY MR. LALONDE:

26
27 Q. You went with the master on FT.
28 CHAMBLY, or a captain?

29 A. It was Captain Thompson -- it wasn't
30 Captain Thompson. It was Captain Beaton.



1 French

2 Q. Did Captain Beaton get out of the ship?
3 Was Captain Caway the captain on the FT. CHAMBLY?

4 A. Yes, he was.

5 THE CHAIRMAN: Are there any further questions
6 of Captain Desgrosiellers?

7 Thank you Captain.

8 We are going to have a short recess. Ten
9 minutes recess.

10
11 ---A SHORT RECESS.

12
13 ---FOLLOWING THE SHORT RECESS:

14
15 LUCIEN HEMOND, Sworn

16
17 DIRECT EXAMINATION BY MR. LALONDE:

18 (THROUGH THE INTERPRETER.)

19
20 Q. Would you please state your full
21 name and age?

22 A. Lucien Hemond. I am 57.

23 Q. What is your occupation?

24 A. Secretary-Treasurer of the Montreal
25 United Pilots as well as the Corporation of Mid-St. Lawrence
26 Pilots.

27 Q. You already gave evidence before this
28 Commission?

29 A. Yes.

30 Q. You were asked to file, if there was



1 French

2 such a document, the bank resolution of transfer funds
3 of this society of United Montreal Pilots to the
4 Corporation of Mid-St. Lawrence Pilots. Did you trace
5 that document in your files?

6 A. I didn't have any resolutions whatso-
7 ever about that in my record. I am sure there was an
8 oral regulation at the meeting.

9 Q. You have the resolution that has been
10 adopted in the banking field?

11 A. Yes, I have one here.

12 Q. Could you please read it?

13 A. Moved by Paul de Villers
14 of the Board of Directors appoints Mr. Orance Hamelin
15 President, Adelard Tremblay the President ex officio,
16 Mr. Richard Barrett first Vice-President. Paul A.
17 Lachance second Vice-President to sign on behalf of the
18 Corporation all banking forms in particular the
19 President and Secretary-Treasurer and Assistant
20 Secretary-Treasurer who are authorized to sign their
21 usual banking forms in that respect as soon as possible
22 and to date these forms as if the draft had been
23 adopted at this meeting.

24 MR. LALONDE: Could you please file this
25 document as Exhibit 887.

26
27 ---EXHIBIT NO. 887:

Banking resolution for
transfer of funds.

28
29 Q. Did you see the bankers for the
30 Society of Montreal Pilots' Corporation at the time of



1 French

2 the transfer?

3 A. Yes.

4 Q. What was the conclusion reached at
5 that meeting -- what was the content that you had with
6 your banker?

7 A. The banker required the two usual
8 bank forms as well -- the membership form and the
9 amendments to the Corporation.

10 Q. The Corporation or the Society?

11 A. The Society.

12 Q. You mean the Society of Montreal Pilots?

13 A. Yes.

14 Q. You mention the ordinary forms
15 of the bank. What type of forms do you have in mind?

16 A. Well, a form for ---

17 Q. You mean to charge the administration
18 costs at the bank?

19 A. Yes.

20 Q. Did you supply your bank with the
21 Powers of Attorney as well as the forms of amendment
22 to the Society of Montreal Pilots?

23 A. Yes.

24 Q. Did the bank ask you for further
25 documents?

26 A. No. Those are the only documents
27 required by the bank.

28 Q. On the other hand, did you send the
29 bank the resolution you just filed?

30 A. Yes.



1 French

2 Q. I also ask you to establish a differ-
3 ence in the balance sheet for the year 1962. The amount
4 of dues to the Federation of Pilots of the St. Lawrence
5 as well as the Canadian Merchant Service Guild. Could
6 you please tell us what was the total amount and how
7 those two dues were calculated?

8 A. The total amount was \$36,995, broken
9 down as follows. To the Canadian Merchant Service
10 Guild, \$9,225, and the Federation of the St. Lawrence
11 Pilots, \$27,500.

12 Q. Your Corporation made a certain
13 number of specific recommendations to the Royal Commission
14 of Inquiry on Pilotage, and these recommendations are
15 in paragraph 620. Following are the recommendations
16 of the Mid-St. Lawrence Pilots and United Montreal Pilots
17 on page 269 of the English text of the brief.

18 It is stated at the beginning of the brief
19 that each group has written to its members by sending
20 a copy of the particular recommendations from the group
21 and asking the members in the letter to let them know
22 about their approval or rejection of these recommendations.
23 Do you remember if your group has sent a letter, such
24 a letter to each member?

25 A. I think that this was discussed during
26 the general meeting.

27 Q. Was there a general meeting of your
28 members in the month of June of this year?

29 A. No. But, this was discussed before
30 or prior to that.



1 French

2 Q. Are you referring to the general
3 annual meeting of the preceding winter?

4 A. Yes.

5 Q. Could you please check in your files
6 in order to find out that it was at the general annual
7 meeting, whether it was discussed or if you sent out
8 letters to each member.

9 A. Well, I will check that.

10 Q. If the letters were sent, could you
11 bring to the Commission a copy of the letter which is
12 signed and the draft recommendations attached thereto
13 and tell the Commission if you received unfavourable
14 answers regarding these draft recommendations, and if
15 it happened what were the contrary suggestions made or
16 the other recommendations made by pilots in their
17 letters.

18 THE CHAIRMAN: Will that document be filed?

19 MR. LALONDE: I am told that this letter
20 has been sent to the pilots. In fact, we can certainly
21 keep an exhibit number for that document.

22 THE CHAIRMAN: Could you please give it
23 a title.

24 THE SECRETARY: Your lord, I am going to
25 give the same title to this as with Exhibit 859. Letters
26 from the President to the member pilots of the Corporation
27 of the Mid-St. Lawrence Pilots and the Society of
28 United Montreal Pilots regarding specific recommendations
29 to be submitted by the Pilots' Federation to the Royal
30 Commission on Pilotage, and a list of the recommendations.



1 French

2 ---EXHIBIT NO. 868:

Letters from the President
to the member pilots of the
Corporation of the Mid-
St. Lawrence Pilots regard-
ing specific recommendations
to be submitted by the
Pilots' Federation to the
Royal Commission on Pilotage,
and a list of recommend-
ations.

8 MR. LALONDE: Specific recommendations, of
9 course. Or specific to that group.

10 MR. LALONDE: I do not have any further
11 questions. Perhaps my colleagues have questions to
12 put to Mr. Hemond.

13
14 CROSS-EXAMINATION BY MR. BRISSET:

15
16 Q. Mr. Hemond, who are the bankers for
17 the Society of United Montreal Pilots.

18 A. The Canadian National Bank. Head-
19 quarters at Place d'Armes.

20 Q. You already told us that the cheques
21 you were receiving from the D.O.T. representing the
22 pilotage dues earned by the pilots of your District
23 were made to the order of the United Montreal Pilots.

24 A. Yes.

25 Q. Are they endorsed with a seal by the
26 Montreal United Pilots or is there a signature for
27 endorsement?

28 A. They are endorsed with a seal of the
29 United Montreal Pilots and I put my signature on as
30 Secretary-Treasurer. Aside from that, I have another



1 French

2 stamp or seal of the Corporation and I also write down
3 my signature as Secretary-Treasurer...

4 Q. You have given us the detail of a
5 sum of dues \$36,920 paid to the Guild and Federation
6 for 1962.

7 THE CHAIRMAN: Are there any other questions
8 of Mr. Hemond?

9 Thank you, Mr. Hemond.

10 THE WITNESS: Thank you, your lordship.

11 THE CHAIRMAN: Are there any other witnesses?

12 MR. LALONDE: My lord, we are in a rather
13 hard situation. I have a witness here but my colleagues
14 are not quite ready to examine him. On the other hand,
15 the other witnesses who were to come have not been able
16 to attend on other grounds.

17 At present we will not have any witnesses
18 to submit. I did not know how many we would work this
19 afternoon. We are waiting to have one of the pilots,
20 a non-member of the Corporation for the Montreal-Quebec
21 District, and unfortunately due to the temperature he
22 has got to stay on board ship.

23 MR. JACQUES: Tomorrow Mr. Dougan from
24 Kingston will appear before the Commission with his
25 lawyer. If the weather gets better two of the pilots,
26 non-members of the Corporation, will appear before the
27 Commission.

28 THE CHAIRMAN: If there is still such a
29 storm tomorrow afternoon we may have to adjourn earlier
30 so as to facilitate travelling for those who are taking



1 French

2 planes, et cetera. In any case, we will finish at 4:30
3 at the latest. But, those who want to leave earlier
4 can do so. My colleague Mr. Renwick will have to leave
5 a few minutes before four.

6 If there is a storm, we must take that into
7 account.

8 Let us try to organize ourselves that we
9 have as much to do as possible tomorrow. So far we
CC3 10 have been very lucky. It is exceptional. We have
11 wasted little time, very little time indeed.

12 Therefore, we can adjourn until tomorrow
13 morning.

14 THE SECRETARY: Could we take this opportunity
15 to present a report to the prosecutor about the new
16 schedule of hearings as regards Montreal.

MR/RPS 17 THE CHAIRMAN: As regards Montreal, you know
18 that we are all going to come here again in the week
19 starting from January 13th to January 17th. We have
20 made the necessary arrangements to go to Washington to
21 meet the Americans the week before that; just to meet
22 the Americans and tell them the Inquiry is taking place
23 here. It would be interesting to have their views or
24 to have them kept informed of what is taking place.

25 We will be here in Montreal between January
26 13th and January 17th in this very room. We shall
27 carry on in Montreal on February 3rd for three weeks
28 and we hope to end up with Montreal during these three
29 weeks.

30 Now the other date which is sure afterwards



1 French
2 is that of March 9th for St. Catharines. The Commission-
3 ers have not discussed about this as yet but it
4 seems that one week would be adequate in St. Catharines.
5 If for one reason or another we could not wind up in a
6 week, I think it will be easier to have the few remaining
7 witnesses come to Toronto so that we would not waste
8 any time. Therefore, the second date in March, from the
9 16th of March will be in Toronto. That has not been
10 discussed as yet with the Commissioners.

11 Therefore, that is as far as we can get for
12 the time being. It will depend, of course, on the follow-
13 ing timetable. We will stand adjourned now until
14 ten o'clock tomorrow morning.

15
16 ---WHEREUPON THE HEARING ADJOURNED UNTIL 10:00 A.M.,

17 DECEMBER 13TH, 1963.

18
19 * * * * *
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30

ROYAL COMMISSION

ON

PILOTAGE

HEARINGS

HELD AT

MONTREAL

VOLUME No.:

93 A

DATE:

DEC. 13 1963

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ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing
held at the International
Aviation Building, Montreal,
Quebec, on Friday, the 13th
day of December, 1963.

COMMISSION

The Honourable Mr. Justice Bernier	Chairman
Robert K. Smith	Member
Harold A. Renwick	Member
Mr. Gilbert Nadeau	Secretary

COMMISSION COUNSEL

Mr. Maurice Jacques

PRESENT

Mr. J. Richards	for the Canadian Merchant Service Guild.
Mr. J. Brisset, Q.C.	for the Shipping Federation of Canada.
Mr. C. Mason	for the Dominion Marine Association.
Mr. Marc. Lalonde	for the Federation of St. Lawrence River Pilots; Corporation of the Lower St. Lawrence Pilots; the Corporation of the Montreal Harbour Pilots; the Corpor- ation of the Mid-St. Law- rence Pilots; the Corporation of the St. Lawrence River and Seaway Pilots; the Cor- poration of the Upper St. Lawrence Pilots.

* * * * *



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* * * * *



Montreal, Quebec
Friday 11567
December 13th, 1963

English

---ON COMMENCING AT 10:00 A.M.

CAPTAIN L.S. DOUGAN, Sworn

DIRECT EXAMINATION BY MR. JACQUES:

Q. Mr. Dougan would you state your full name and age?

A. Lyle Scott Dougan, 56.

Q. And your occupation?

A. Pilot boat operator.

Q. Where?

A. In Kingston.

Q. How long have you been operating a pilot boat in Kingston?

A. Since 1936.

Q. Would you first describe the equipment which we have now available for your services? We were told that your service covers the embarking and disembarking of pilots in Kingston Harbour and then also taking them across Wolfe Island as far as Alexandria Point?

A. That is correct. We have four motorboats, two tugs and two small boats and three taxi cars.

Q. Now all these motorboats and tugs, are they used for service to pilots?

A. Pretty much. We do do other things too, but oh 90 per cent, 95 per cent for pilotage.



1 English

2 Q. And how many cars did you say you have?

3 A. Well we have three. One used at
4 Wolfe Island all the time, and then we have the other
5 two at home. We use them for spares.

6 Q. Now in which area would your boats
7 operate?

8 A. Well we have one in Kingston all the
9 time and we have one at Alexandria Point all the
10 time.

11 Q. And the one at Alexandria Point is
12 used to carry pilots to and from their ships?

13 A. That is correct, yes.

14 In both cases: Kingston, Alexandria Point.

15 Q. Are you in competition or do you work
16 in conjunction with the Americans at Alexandria Point?

17 A. I am in competition, I guess.

18 Q. Would you describe the boats which you
19 use in your service? Length, depth?

20 A. As to the type of boat?

21 Q. Yes?

22 A. I have one pilot boat sixteen, it's
23 a wooden boat, 36 feet long, 10 feet wide and also have
24 one steel boat.

25 Q. The first one there, that wooden
26 boat, how old is she?

27 A. She is 25 years old.

28 Q. And she is powered -- ?

29 A. With a Chrysler Crown Marine Engine.

30 Q. And what would her present-day value



1 English

2 be?

3 A. \$3,000 perhaps.

4 Q. That is depreciated value?

5 A. I would think so, yes.

6 Q. And the next one is?

7 A. The steel one. It's called the
8 LAWRENCE D., it's 32 feet long, 10-foot beam. It's
9 powered with a Perkins diesel. Its value would be
10 \$7,000, \$8,000.

11 Q. These are two boats employed in pilot
12 service?

13 A. They are the two big boats. They are
14 the ones we use to embark and disembark pilots either
15 at Kingston or at Alexandria Point.

16 Q. And which one is stand-by in Kingston
17 and which one at Alexandria Point?

18 A. Generally the LAWRENCE D. is at Kingston
19 and pilot boat 16 is at Alexandria Point.

20 Q. Pilot boat 16, that is the wooden
21 one?

22 A. That is the wooden one at Alexandria
23 Point. There has been occasion when we have switched
24 them, for one reason or another. Like last spring there
25 was a lot of ice. We took the LAWRENCE D. to Alexandria
26 Point and kept 16 in Kingston until the ice cleared and
27 then we changed them back again.

28 Q. How long have you been providing
29 services for pilots?

30 A. Since 1936.



1 English

2 Q. Since you started in the boat business?

3 A. Yes.

4 Q. Do you have a contract with the
5 pilots at the moment or an agreement, written or verbal?

6 A. As far as I can understand, it's
7 in the nature of a verbal agreement.

8 Q. And what would be the terms and
9 conditions?

10 A. The terms would be if any pilot came
11 to Alexandria Point to be taken to Kingston, we would
12 take him to Kingston and charge the Pilot Corporation
13 for the trip.

14 Q. And would you take the pilot off the
15 ship also?

16 A. No. At least not this year we
17 didn't, no. We did -- maybe we had twelve trips through
18 the year, for one reason or another.

19 Q. Was that last year or this year?

20 A. It's last season.

21 Q. The last season?

22 A. Yes.

23 Q. Take him across Wolfe Island?

24 A. Well the Cape Vincent pilot boat was
25 broke a couple of times this year and when the ice
26 was on in the spring, we made about 12 trips actually
27 all year long for the Corporation of Pilots.

28 THE CHAIRMAN: That is 12 trips for
29 Alexandria Point?

30 THE WITNESS: That is correct sir, yes.



1 English

2 But then again we service the Canada Steamship Lines
3 too over there so their trips would be about 150 but
4 we service those all year long.

5 Q. That is why you have a boat at
6 Alexandria Point?

7 A. That is correct. So therefore the
8 services we made there in the last year would be in
9 the approximate vicinity a hundred and sixty, a hundred
10 and seventy. In that range there somewhere.

11 Q. As regards the Corporation of Pilots
12 you take them across Wolfe Island?

13 A. Yes, that is correct.

14 Q. By car?

15 A. By car.

16 Q. And then by boat?

17 A. Across Kingston Harbour.

18 Q. To Kingston?

19 A. That is correct.

20 Q. Would you have a record of the number
21 of times you provided service to pilots this season?

22 A. Yes, I would have. It would take
23 some digging.

24 Q. You will be able to provide that
25 information?

26 A. Oh yes. That would be no problem at
27 all, no.

28 Q. Would you provide this information
29 this season, which is just ending, and also the 1962
30 season; I don't know whether the pilots are interested



1 English

2 in the 1961 season.

3 A. Do you require that information today?

4 Q. No, not today.

5 A. I will do that. I will get the number
6 for 1963 and also the number for 1962.

7 Q. Would you also prepare a similar
8 statement for 1961?

9 A. Yes, no problem at all.

10 Q. I would ask you for the previous
11 years to break it down whether it is boarding or
12 unboarding at Kingston; whether it is taking a pilot
13 across Kingston Harbour and then across Wolfe Island
14 and also the number of boardings and unboardings which
15 you have had at Alexandria Point. Are you able to do
16 that?

17 A. That will be no problem at all.

18 THE CHAIRMAN: There might be also some
19 boarding off Kingston.

20 MR. JACQUES: Oh yes, I had asked for that
21 my lord.

22 THE WITNESS: Yes, we can get that.

23 THE CHAIRMAN: We will give that a number
24 immediately?

25 MR. JACQUES: Yes my lord.

27 ---EXHIBIT NO. 869:

Breakdown of the number
of trips made by Mr.
Dougan in the years 1961,
1962 and 1963.

28
29
30 THE WITNESS: Actually the trips are all here



1 English.
2 but it would take some time to break them down. I am
3 much better to do that at home, I guess. I think I
4 should write that down. So for 1963 you want the number
5 of trips ---

6 Q. The number of times which you took
7 a pilot to and from the ship in Kingston.

8 A. In 1963 there would be no pilots
9 in Kingston.

10 Q. So say nil.

11 A. I see, okay.

12 Q. And the number of times which you
13 took pilots across Kingston Harbour and then to or
14 from Wolfe Island and the number of boardings or
15 unboardings which you have in respect to Corporation
16 pilots at Alexandria Point?

17 A. Okay.

18 Q. And that is for the 1961, 1962 and
19 1963 season.

20 THE CHAIRMAN: That is excluding the two
21 Mr. Desgrosiellers?

22 THE WITNESS: That is excluding those.

23 MR. JACQUES: Excluding the contract pilots
24 my lord.

25 MR. LALONDE: Did you have some trips for
26 the American pilots in 1961?

27 THE WITNESS: In 1961? We were not making
28 all the trips at the time, not for them, no. There could
29 be isolated cases perhaps for one reason or another.
30 I wouldn't think they would be very many.



1 English

2 Q. Would you include those, should there
3 be any?

4 A. Yes, they will be all shown in those
5 sheets, yes. It would be quite easy to include those.
6 The Americans, they had, always had a pilot boat of their
7 own and actually we never did service them too much.

8 Q. Now are your boats certified by the
9 Department of Transport for the carriage of passengers?

10 A. Yes. My boats are inspected by the
11 Steamship Inspector every year and a seaworthy certificate
12 issued for the service, yes.

13 Q. And how many passengers are you allowed
14 to have on board?

15 A. Ten.

16 Q. Does that include the crew or does
17 it exclude the crew?

18 A. On the LAWRENCE D. we have a class
19 for 10, plus two crew members and on the boat 16 we
20 have a class for eight passengers and two crew members.

21 Q. Is that the total complement of each
22 of your boats? Two crew members?

23 A. Yes, that is the crew. Two.

24 Q. And what do they do aboard?

25 A. Well the operator, he runs the boat
26 and a second member would be the helper. He would
27 help the pilot to get on, just to be there in case that
28 he is required; undo his bag and help wherever he can.

29 Q. Would the operator have any certificate
30 of any kind?



1 English

2 A. Yes. I have a master's inland.

3 Q. You have?

4 A. Yes.

5 Q. What about your operator? Are you
6 the operator?

7 A. Yes, I operate at Alexandria Point
8 all the time. There is one boy, Kenneth Olson, he has
9 been with me 15 years and he has a temporary master's
10 licence.

11 Q. When did he obtain that?

12 A. Oh that would be I would say approx-
13 imately three years ago.

14 Q. Almost permanent now?

15 A. I suppose, yes.

16 Q. Do you carry any insurance on your
17 boats?

18 A. No.

19 Q. No insurance at all?

20 A. No.

21 Q. What about public liability?

22 A. I have public liability on it, and
23 fire insurance. \$20,000 public liability I believe
24 it is.

A2 25 Q. Would that cover injuries or death
26 of pilots whilst you carry them from point A to point
27 B?

28 A. I really couldn't answer that. I
29 don't know. I don't think so.

30 Q. Have you got your policies with you?



1 English

2 A. No, I haven't.

3 Q. Would you let the Secretary have them
4 so they would be perused?

5 A. Okay. When I go home I will dig
6 up all my insurance certificates and send them along
7 with this other information.

8 Q. Would this insurance cover also the
9 transportation of pilots by land, overland by car at
10 Wolfe Island?

11 A. That insurance is separate on my
12 taxi insurance.

13 Q. Do you have to have a taxi permit
14 of some kind to carry the pilots across Wolfe Island ?

15 A. No.

16 Q. The Public Transportation Board of
17 Ontario does not regulate your operation?

18 A. Well anyway it's not registered as
19 a taxi. It's registered as a private automobile.

20 Q. Do you have to have a permit from
21 any Provincial authority for the operation of your
22 boats?

23 A. No Provincial authority, no.

24 Q. Now I believe there have been several
25 changes in the operation of the pilot boats in your
26 area. Would you tell us about that. If you would
27 start before the Seaway came into operation, how were
28 you operating then and whom were you servicing?

29 A. Well from 1936 until 1959 we were
30 solely in Kingston and we done all our pilot boat work



1 English

2 in Kingston. In 1959 we went to Alexandria Point and
3 we serviced pilots there. We had them in 1959, 1960
4 and 1961. During that time too the Americans had a
5 pilot boat there as well.

6 Then in 1962, well we serviced them in 1962
7 but then we didn't service them in 1963.

8 Q. When you say "service them" what
9 do you mean? Service whom?

10 A. We had no Corporation of Pilots at
11 all in 1963, or at least only the number that I
12 mentioned there, 10 or 12, which actually is practically
13 none.

14 Q. So to understand rightly, there is
15 a sort of franchise given to the Americans for pilot
16 boat work?

17 A. I would think that would be a good
18 term, yes, that is the case.

19 Q. And prior to 1963 you had the
20 franchise?

21 A. That is correct.

22 Q. And it appears from what you say that
23 you and the Americans were both operating pilot boats
24 at the same time, for the same period of time?

25 A. That is correct. From 1959 right
26 through to 1963.

27 Q. Did you then have any agreement
28 with the Pilot Corporation?

29 A. As far as I know there was no
30 written contract of any kind.



1 English

2 Q. Oral agreement?

3 A. Yes, oh yes. I did have an agreement
4 with them, yes, of an oral nature.

5 Q. And what was that?

6 A. Well that I would take pilots off
7 at Alexandria Point and bring them to Kingston for so
8 much per head.

9 Q. I am sorry, would you repeat your
10 answer?

11 A. We would take pilots off on the
12 American -- Cape Vincent side and transport them to
13 Kingston, so much per pilot.

14 THE CHAIRMAN: When you said "Cape Vincent",
15 you mean Alexandria Point?

16 THE WITNESS: Yes, Alexandria Point.

17 Q. That is when the Seaway was in
18 operation?

19 A. That is right, from 1959 on.

20 Q. But the Americans were also, at the
21 same time, operating a pilot boat?

22 A. That is right. We were there in
23 1959 and so were they.

24 Q. And was there an agreement between
25 you and the Americans?

26 A. No.

27 Q. For sharing the work?

28 A. No agreement at all.

29 THE CHAIRMAN: I understand that prior to
30 1959 there were no American pilots?



1 English

2 THE WITNESS: That is correct, there were
3 none.

4 THE CHAIRMAN: So, therefore, there was
5 no operation from Cape Vincent?

6 THE WITNESS: Prior to 1959 not on a real --
7 I suppose there might have been the occasional trip
8 but actually you could say no. That is true, there
9 was none.

10 THE CHAIRMAN: All the pilots were from
11 Kingston. Therefore, they were either embarking for
12 Kingston or for Alexandria Point?

13 THE WITNESS: That is correct.

14 Q. And you were providing that service?

15 A. That is right.

16 Q. Now then when you and the Americans
17 were operating jointly in 1961 and 1962 -- is that
18 correct?

19 A. That is correct.

20 Q. Was there an agreement between you and
21 the Americans for sharing the work?

22 A. No. I had no agreement with them.

23 Q. How did it work out?

24 A. Well ---

25 Q. Did you both go out to meet a ship?

26 A. Yes. There has been occasions when
27 both would be there.

28 Q. Who would request your service ?

29 A. Well some of the pilots.

30 Q. So you waited until you got a call from



1 English

2 the pilots?

3 A. That is correct, yes.

4 Q. Was he the pilot on board the ship?

5 A. Yes, the pilot on board the ship would
6 call us and we would go.

7 Q. If you did not receive a call what
8 would you do?

9 A. If we did not receive a call, well
10 then we wouldn't go.

11 THE CHAIRMAN: You then had radio-telephone?

12 THE WITNESS: Yes sir, we had radio-telephone.

13 There is a radio-telephone on pilot boat 16 and there
14 is also radio-telephone on LAWRENCE D.

15 Q. And you had one also, I believe, at
16 Alexandria Point?

17 A. Yes, that is correct.

18 Q. Some time ago?

19 A. Yes.

20 Q. And if you did not receive a call,
21 you did not go out?

22 A. That is correct. We would wait until
23 they called us and then we would go.

24 Q. Apart from your boats and your cars,
25 do you have any shore facilities which are used in
26 connection with your service?

27 A. We have an office at Alexandria Point,
28 a little cottage there we use. Well actually it's an
29 office that is what it is, and a waiting place.

30 Q. Is that owned by you or rented?



1 English

2 A. That is rented by me. I rent that.

3 Q. In Kingston have you got anything?

4 A. In Kingston we have a similar set-up.

5 Office on the shore that we use there.

6 Q. You had a radio-telephone at Alexandria
7 Point. Did you have one in Kingston also?

8 A. No.

9 Q. You did not have it in Kingston?

10 A. No. The one in Kingston would be on
11 the boat.

12 Q. Now you got rid of your radio-telephone
13 at Alexandria Point?

14 A. Yes, that is correct.

15 Q. Why?

16 A. Well it wasn't certified so I had
17 to dispose of it.

18 Q. Well how many years had you been
19 operating radio-telephone?

20 A. Two, maybe three. About two years.

21 Q. It was not certified all that time?

22 A. No, it was not.

23 Q. Did you have any trouble at all?

24 A. Well no, no. We were awfully busy
25 there with the boats going up and down. It was almost
26 a necessity so we had it there and we had it for about
27 two years.

28 Q. Did you try to get a licence?

29 A. No, I don't believe I did.

30 Q. Why not?



1 English

2 A. I don't know. I just never thought of
3 that.

4 Q. You knew you had to have a licence?

5 A. Yes.

6 Q. Is that the only reason why you
7 got rid of your radio-telephone?

8 A. Well they made me take it out. I
9 didn't want to get rid of it.

10 Q. Who made you take it out?

11 A. The radio inspector at Kingston.

12 Q. The Canadian one?

13 A. That is right.

14 Q. At that time did you ask for a licence?

15 A. Yes. After that I asked for an
16 FM licence. That is a different type of radio but I
17 didn't go ahead with it, anyway.

18 Q. You did not push it?

19 A. No, because it would cost \$1,500,
20 an installation like that. The business didn't warrant
21 it by that time.

22 Q. Do you have a radio licence for the
23 radios on your two boats?

24 A. Yes sir, and we have a licence for
25 the equipment that is on the boats and everyone that
26 uses them also has a radio operator's licence.

27 Q. Did you have any dealings with the
28 Americans at all, at any time as regards the operation
29 of the pilot boat service?

30 A. Yes. In 1959 and 1960 there was



1 English

2 considerable competition between us and I was to a meet-
3 ing in Kingston.

4 Q. When?

5 A. That would be in the spring of 1960.

6 Q. A meeting with whom?

7 A. Between the American pilots and the
8 Canadian pilots and they offered several things.

9 Q. Who offered?

10 A. Oh the Americans. Their representatives
11 and they wanted me to run their boats, or something,
12 but anyway whatever they did offer we couldn't see that
13 it offered anything so we refused it.

14 Q. Was there any writing?

15 A. No. There was never any writing on
16 any agreement at any time.

17 Q. Just verbal?

18 A. It was all verbal arrangements, what
19 they were going to give you. That is what it was, just
20 verbal.

21 Q. Now what are your charges to the pilots
22 or the ship, whatever the case may be?

23 A. In what years?

24 Q. Well say this year? From Alexandria
25 Point?

26 A. Our charges from Alexandria Point
27 to Kingston is \$7.

28 Q. That includes what?

29 A. We pick the pilot at Alexandria Point.

30 Q. That would be after he has been put



1 English

2 ashore?

3 A. After he has been put ashore and we
4 take him from there to Kingston and charge \$7.

5 Q. That includes car?

6 A. That includes car across the island,
7 and then across Kingston Harbour in the boat and when
8 he reaches the shoreline on the other side, then our
9 contract is finished in that case.

10 Q. Do you run your service at specified
11 times?

12 A. Well, of course, the only way to run
13 a pilot boat service is on a 24-hour basis. That means
14 for any given 24-hour period we are there the whole
15 24 hours.

16 Q. You are available at all times?

A3 17 A. Yes.

18 Q. During the season?

19 A. Yes. It is almost impossible to
20 operate any other way but that.

21 Q. Now if you take a pilot from Kingston
22 to Alexandria Point is it also \$7?

23 A. It is \$7 too.

24 Q. And your fee, when your boat at
25 Alexandria Point is used, what is it?

26 A. Well that charge is \$8.

27 Q. For one trip?

28 A. Yes. In other words \$8 for the pilot
29 boat service at Alexandria Point. \$7 to Kingston,
30 which makes a complete charge of \$15 per pilot.



1 English

2 Q. And in Kingston Harbour when you have
3 to embark or disembark a pilot what is your charge?

4 A. Our charge there is \$8.

5 Q. \$8 one-way?

6 A. That is right, for one service, yes.

7 Q. This is this year?

8 A. That is correct, this year.

9 Q. And last year what were your charges?
10 When did you have the last increase I should say?

11 A. When we first went over to Alexandria
12 Point we charged \$15. Then the price was raised to \$20
13 and then it was lowered back down to \$15 again. Now
14 the exact time---

15 Q. When you first went to Alexandria
16 Point that was when?

17 A. 1959.

18 Q. Your charge was \$15?

19 A. Yes.

20 Q. \$8 to disembark or embark a pilot
21 and \$7 from Alexandria Point to Kingston?

22 A. Yes, that is correct.

23 Q. And you said later on it was boosted
24 to \$20?

25 A. That is correct. I could find the
26 exact time although I just can't recall the exact time.

27 Q. Was it 1960 or 1961?

28 A. I would think that would be in 1960,
29 yes.

30 Q. 1960?



1 English

2 A. That is correct.

3 Q. You said that your charges were again
4 reduced to \$15?

5 A. Yes, they were.

6 Q. When was that?

7 A. That would be like in 1961.

8 Q. Why did you do that?

9 A. Well through pressure of business, in
10 competition with the Americans. After all you are
11 always trying to do something to get the trade. That
12 is the only reason.

13 Q. Well how could the Americans affect
14 you? Surely they would not be entitled to take a pilot
15 from Alexandria Point and drive him to Kingston?

16 A. Well yes, but there was always a
17 certain amount of jockeying going on.

18 Q. On whose part?

19 A. Well the general pressure all around
20 one of those places.

21 Q. Did the pilots think it was too
22 expensive, \$20 from Alexandria Point to Kingston?

23 A. I would think, yes, that is a
24 possibility thinking that it might have been expensive.
25 Actually though I never did because actually the true
26 price of the service across there, I think a \$20 value,
27 well it is a good price but I still don't believe that
28 is it unreasonable at all.

29

30



TT/RPS

1 English

2 Not if you are going to buy and maintain
3 good and new equipment. After all, a pilot boat
4 operator, he is struggling for equipment. You never
5 have enough. You always plan on a new boat. A new
6 boat takes money to get.

7 Q. It is how many miles across Wolfe
8 Island?

9 A. Eight miles.

10 Q. How long does it take by car?

11 A. 10 to 15 minutes, I suppose.

12 Q. Do you have a special driver for
13 that car?

14 A. Well, no. At Alexandria Point there
15 are generally two of us. I am there myself and I have
16 a helper. In the case between the two, he or I would
17 drive. Actually he did most of the driving.

18 Q. That is including the crew of ---

19 A. At Alexandria Point there were two
20 that worked on the pilot boat.

21 Q. Who were they?

22 A. That was myself and a helper. Us
23 two would do the driving as well.

24 Q. Would you also look after your office
25 at Alexandria Point?

26 A. Yes. There were two people. There
27 were occasions when we had three, when we were busy.
28 Especially in the last two years, there has been two.
29 Those two operators would do all the work around Alexandria
30 Point and on Wolfe Island.



1 English

2 Q. Would you have two men manning the
3 boat across Kingston Harbour?

4 A. No. We would only have one on that
5 type of service.

6 Q. There are three of you operating
7 the service?

8 A. Yes....

9 Q. Two at Alexandria Point?

10 A. And one in Kingston. There has been
11 more from time to time, but I would think that stating with
12 three ourselves -- that is about what it boils down
13 to.

14 Q. I am advised that the Americans offered
15 to give you the whole service. Do you recall that?

16 A. They did offer to sell it to me. That
17 must have been in the spring of 1960, I guess. They
18 offered to sell it to me for \$9,000.

19 Q. Sell you what?

20 A. Their pilot boat. Actually, I didn't
21 need their boat. I told them, no, we were not interested
22 in it.

23 Q. They were going to sell you the
24 boat and you would provide all service?

25 A. In our discussions with them that
26 was the size of it.

27 Q. You turned it down?

28 A. Yes.

29 Q. Why?

30 A. Well, they might have given me a one-year



1 English

2 or a two-year contract, and after the two years they
3 could issue the contract to somebody else. In other
4 words, we did not figure that it was a good deal, that
5 was all. That was our way of figuring.

6 Q. Did you ever have complaints from
7 pilots about your service?

8 A. I don't really believe so. There
9 could have been isolated occasions, and actually I
10 can think of no specific occasion. But, sometimes
11 pilot boat operators, like everybody else, he is supposed
12 to be in ten places at once. By that I mean, you get
13 busy and sometimes it is almost impossible to be on the
14 job. They, I think, would hinge on a case of minor
15 complaints.

16 Q. Were their ships delayed because
17 your services were not available?

18 A. No. I suppose you could scout around
19 and find one or two instances. But actually during
20 our whole time from 1936 until now, I don't believe that
21 at any time was there any huge delays at all. None
22 that I can think of anyway. But then you always find
23 the possible occasion for one reason or other that
24 you might be five minutes late.

25 Pilot boats, wherever you have them, they
26 are bound to run into some delays. It is impossible
27 to avoid.

28 Q. Was there ever any accidents in
29 connection with your service, both on land and on sea?

30 A. No. I have never had anybody hurt.



1 English

2 MR. JACQUES: My lord, Mr. Dougan has
3 brought with him his statement of revenue and expenses.
4 I have not thought that I should cross-examine or
5 examine him on that. They are available to the Commission
6 if you need them.

7 THE CHAIRMAN: I think Mr. Dougan would
8 like us to see them to complete the picture.
9 It is up to Mr. Dougan.

10 THE WITNESS: I have no objection, none
11 at all.

12 MR. JACQUES: They could be filed for the
13 years 1961, 1962, 1963, as Exhibit 870.

14 MR. LALONDE: Before filing them, if this
15 creates a problem for the witness, as far as my clients
16 are concerned they do not necessarily need to look at
17 the books of Mr. Dougan or his statements. If the
18 Commission wants them for its own information, that is
19 all right with me.

20 THE CHAIRMAN: Here is what I have in mind.

21 May I ask a question first. Mr. Dougan,
22 it was stated before that the Americans have kind of
23 a franchise over the boat service of pilots.

24 THE WITNESS: That is correct.

25 THE CHAIRMAN: I understand they do not
26 exercise it fully in that they do not bring the pilots
27 to Kingston.

28 THE WITNESS: They bring the pilots to
29 Alexandria Point.

30 THE CHAIRMAN: They leave them stranded on the



1 English

2 island so pilots have to find a way to get home?

3 THE WITNESS: Yes.

4 THE CHAIRMAN: The franchise is not
5 exercised fully and therefore a service has to be given
6 to the pilots. It has to be provided. Therefore, if
7 a service has to be provided we would like to know
8 how much such service may cost and whether or not the
9 charges are made are reasonable or not. So, therefore,
10 in that light I think maybe Mr. Dougan would like
11 himself to provide the Commission with the statements.

12 MR. JACQUES: And also to compare the
13 expenses of operating the service against operating
14 a similar service elsewhere in Canada.

15

16 ---EXHIBIT NO. 870: Statement of revenue and
17 expenses prepared by Mr.
18 Dougan.

19

20 THE WITNESS: Do you want these copies?

21 MR. JACQUES: You could let us have the copies
22 if you wish and we can make copies. Again, you may
23 make copies of these documents and send them to us.

24 THE CHAIRMAN: In this respect, we will
25 decide during the adjournment and we will discuss just
26 what form it should take.

27

28 CROSS-EXAMINATION BY MR. LALONDE:

29

30 Q. First of all, Mr. Dougan, on behalf
of my clients I would like to congratulate you publicly



1 English

2 for the service you have always provided the pilots
3 in your District. I am instructed there are really
4 no complaints about the service you provide and that
5 the service which has been available to them in the
6 past has always been excellent.

7 A. Thank you very much.

8 Q. They have not had the occasion of
9 saying it to you officially but they have instructed
10 me to do so.

11 MR. BRISSET: I am instructed to the same
12 effect.

13 Q. Are you incorporated or operating
14 on your own?

15 A. I just operate on my own. A private
16 operator. And I suppose --- yes, that is the answer.

17 Q. How much do you charge for ships which
18 you serve otherwise than registered pilots of the
19 C.S.L. ships?

20 A. Same price. Our prices are always
21 the same. They have to be. They must be the same to
22 everyone.

23 Q. If I understand you well, when you
24 serve the ships under the instructions of Cape Vincent,
25 for instance, in Kingston Harbour itself, you charge
26 the same price, that is \$8?

27 A. That is correct, yes. In other words,
28 there are no exceptions. That \$8 and \$7 price is
29 constant all the way through.

30 THE CHAIRMAN: In other words, to use your



1 English

2 boat off Kingston or Alexandria Point as a pilot boat
3 is \$8?

4 A. Yes.

5 THE CHAIRMAN: And transit between Kingston
6 and Alexandria Point by boat and taxi is \$7?

7 THE WITNESS: Yes.

8 Q. We have been told you might be
9 called upon to take ships at two different places in
10 Kingston Harbour, Kingston itself and the other off
11 Snake Island or near Snake Island. Is that the case?

12 A. Occasionally we go to Snake Island and
13 that charge is \$10. In other words, we leave our
B2 14 station and it is three miles from our station to the
15 line, and that is an extra \$2 charge. That makes \$10
16 for that particular place.

17 Q. Before 1959, who was paying for your
18 services? Was it paid directly by the pilot individually
19 or by the Corporation or shipowners?

20 A. Generally shipowners. I would think
21 it would be 100 per cent it would be shipowners that
22 would pay.

23 Q. Was it changed in 1959?

24 A. I believe it was, yes. I am very
25 sure that was in 1959 when the changeover came and
26 we began to be paid by the Government. We received
27 Government cheques each month or every two weeks. That
28 is how we got paid.

29 Q. For how long did you continue receiving
30 cheques from the Government?



1 English

2 A. That would be up until last year.

3 Q. You mean until 1962?

4 A. Yes.

5 Q. The spring of 1962?

6 A. Yes, 1962.

7 Q. In 1961 you were receiving the monies
8 from the Government?

9 A. Yes.

10 Q. Since the spring of 1962, I think
11 you said you were paid by the Corporation of Pilots,
12 is that so?

13 A. Yes.

14 Q. Did you send a bill as to the number
15 of trips you have made to the Corporation -- how do you
16 proceed in that regard?

17 A. We make a bill which itemizes each
18 ship and we send it to the Corporation of Pilots and
19 they send it along with the cheque.

20 Q. For the period when you received
21 cheques from the Government, whether this money was
22 taken from dues or the pilots' money or general
23 Government revenue?

24 A. I wouldn't know.

25 Q. I understand that you had certain
26 difficulties in the business lately and you felt that
27 there might be a decrease in business. Would you mind
28 telling the Commission what your profits are at the
29 present time?

30 A. During the last year, business was very



1 English

2 poor and it is possible we could have operated at a
3 loss, although I have not checked the books finally.
4 So, I do not actually know. They could be at a loss
5 or on the line or slightly above the line. In any
6 event, it is in that locality some place.

7 Q. Have you taken any decision as to
8 what you are going to do next year?

9 A. No, not as yet. It is too soon now.
10 I will wait and see how things go and decide later on
11 for next year.

12 MR. JACQUES: Thank you.

13
14 CROSS-EXAMINATION BY MR. MASON:

15
16 Q. Prior to the opening of the Seaway,
17 how many men did your organization employ?

18 A. Prior to 1959 we had two. Myself and
19 one helper.

20 Q. And you were operating purely in
21 Kingston Harbour?

22 A. That is correct.

23 Q. After you were moved to Alexandria
24 Point, how many additional men did you take on?

25 A. We had three then. Myself and two
26 others. And then there would be occasions when we
27 would have one more.

28 Q. You would take on part-time help?

29 A. Yes.

30 Q. Today I understand there is primarily



1 English

2 yourself and two others?

3 A. Yes. On that type of service you
4 have to have three anyway.

5 Q. Who operates your pilot boat out
6 of Kingston if you and one helper are operating out of
7 Alexandria Point?

8 A. Ken Olsen in Kingston. He does
9 it.

10 Q. Is that a separate organization?

11 A. It is in the same organization.

12 MR. MASON: Thank you.

13
14 CROSS-EXAMINATION BY MR. BRISSET:

15
16 Q. When you are called upon to service
17 a boat from Alexandria Point to take off a pilot, are
18 you at times requested to land this pilot in Cape
19 Vincent -- does it happen? Let us say the American
20 boat might be occupied or be under repairs.

21 A. It happened this year. It is
22 something that only happens very rarely. It did happen
23 in the spring when the ice was there and it was heavy.
24 When the ice is quite bad I think maybe I had three or
25 four which isn't very many.

26 Q. What is your charge then?

27 A. Our charge would be the same, \$8
28 for pilot boat service.

29 Q. How do you recover it from the
30 American Pilot Association?



1 English

2 A. There is still some I haven't got.
3 We are trying to get it anyway. Actually, there are
4 some accounts owing to us for three or four months.

5 Q. What type of accounts are owed to
6 you by the American Pilots' Association?

7 A. For pilot boat service. Some
8 Americans did come through and they would use our
9 taxi service from Alexandria Point to Kingston. That
10 did happen. Or maybe during the year we might have
11 had 10 or 15 trips. That is approximate, but it gives
12 somewhat of an idea how much they use it.

13 Q. You then bill the American Pilots'
14 Association?

15 A. Yes. There was some trouble with them.
16 We billed the American Pilots' Association and they
17 didn't pay and they sent it back and told us we
18 had to collect it off the individual pilot. So, we
19 are sending out accounts to them now. I daresay it
20 will eventually be paid. There is some that has not
21 been paid as yet.

22 Q. During the years that you were paid
23 by the Department of Transport for your service, were
24 there any negotiations between you and the Department
25 of Transport on rates?

26 A. Yes.

27 Q. Is it, at that time, that your rate
28 was reduced as a result of negotiations, from \$20 to
29 \$15?

30 A. Yes.



1 English

2 THE CHAIRMAN: Are there any other means
3 of commuting from Alexandria Point to the Kingston
4 proper other than by the service you provide? I believe
5 there is a ferry?

6 THE WITNESS: There is a ferry there, yes.

7 THE CHAIRMAN: Could the pilots use the
8 ferry?

9 THE WITNESS: The ferry actually runs
10 from 7:00 in the morning until midnight, and there would
11 be occasions when a pilot would have to wait for a couple
12 of hours and it never proved satisfactory at all.

13 We can get them into town in 20 minutes.
14 To have to wait around for a couple of hours when the
15 pilot comes from the River and is tired -- they don't
16 like that.

17 THE CHAIRMAN: The ferry is not a 24-hour
18 business?

19 THE WITNESS: No. It never seems to suit
20 the setup over there because it wasn't used. The
21 occasional time it was used but it was very seldom.
22 Maybe once or twice a year.

23 THE CHAIRMAN: When they run, they run
24 every hour?

25 THE WITNESS: It runs approximately every
26 one hour and a half.

27 THE CHAIRMAN: What means of transportation,
28 besides your taxi, exists on Wolfe Island?

29 THE WITNESS: There is no one else that
30 is set up there for that type of business. I suppose they



1 English

2 could always go to someone else and get it on a per
3 trip basis. There is nobody in that type of taxi service
4 on the island.

5 THE CHAIRMAN: In any event, these other
6 means of transportation are available now, but they
7 prefer to use yours?

8 THE WITNESS: That is correct.

9
10 FURTHER CROSS-EXAMINATION BY MR. LALONDE:

11
12 Q. Is there anybody doing taxi service
13 on Wolfe Island?

14 A. There is no setup on Wolfe Island
15 as a taxi service but I suppose you could go along
16 and get somebody. You know, on an off and on basis,
17 pick somebody up.

18 Q. Using his private car?

19 A. Yes. But not as a taxi business.

20 Q. Is there any bus service on Wolfe
21 Island?

22 A. No.

23 Q. The ferry, you said, does not travel
24 by night. When does it start in the spring?

25 A. It starts reasonably early. Its
26 general time is about April and it generally runs
27 right through on until Christmas, New Year's. Those
28 dates, again, are approximate.

29 Q. Have you received orders from the
30 Department of Transport or from other Departments that



1 English

2 you should take down the name of the pilot boat No. 16?

3 A. Yes. It seems somebody asked me
4 to take it down. I left it there. I only figured
5 it was an advertising sign and that is something that
6 has been there for 25 years. So, it is still there.

7 Q. You have had a long experience
8 embarking and disembarking pilots in Kingston Harbour
9 and at Cape Vincent. Would you state what are the
10 comparative advantages and disadvantages of one place
11 with regard to the other?

B3 12 A. Actually, Kingston is a better place
13 to embark and disembark pilots. Last year at Cape
14 Vincent, it was all ice-choked in the River up until
15 April 21st and all the pilot boats had trouble getting
16 out. They were struggling through the ice. Over in
17 Kingston it was ice-free three weeks prior to that.

18 In Alexandria Point, since 1959 there have
19 been ten ships ashore in trying to get pilots on the
20 waters. Actually, in Kingston I cannot think of one
21 occasion where the ship went ashore while they were
22 disembarking or embarking pilots. Kingston Harbour
23 has much more room and we fully figure that Kingston
24 is a better place for embarking and disembarking pilots
25 than Cape Vincent is.

26 Q. What about stormy weather -- is
27 Kingston better protected or is it the reverse?

28 A. Both are about equal. Over on the
29 Cape Vincent side, you are practically right out on the
30 lake and as far as weather is concerned I feel one side



1 English

2 is about the same as the other.

3 Q. Some questions were asked here as
4 to whether you were aware that a dredging contract
5 had been awarded to dredge off Wolfe Island on the
6 northern side.

7 A. I never heard about that, no. I
8 have no idea at all. It would be a good thing if it
9 was, though.

10 MR. LALONDE: That is all, thank you.

11 THE CHAIRMAN: Are there any further
12 questions of Captain Dougan?

13 Thank you very much, Captain.

14 While we are on the subject, I would like
15 to hear Captain Bissonnette on the question of the
16 available commuting services.

17
18 CAPTAIN BISSONNETTE, Re-Sworn

19 (THROUGH THE INTERPRETER.)

French 20 THE CHAIRMAN: Captain Bissonnette, you
21 have heard Mr. Dougan speak about the service. The
22 American service leaves or drops you at Alexandria
23 Point. Would there be another possible service for you
24 in order for you to go from Alexandria Point to Kingston
25 aside from Mr. Dougan's service, and did you consider
26 the possibility?

27 THE WITNESS: Yes. We already studied
28 the possibility of having a service which would extend
29 between Cape Vincent passing through the Thousand
30 Island Bridge to Kingston which represents 53 miles



1 French

2 approximately. Consequently we figured it was absolutely
3 impossible for a pilot to travel 53 miles every time
4 he had to go on board a vessel or disembark...

5 THE CHAIRMAN: By disembarking at Cape
6 Vincent and going around on the American territory and
7 through the Thousand Island Bridge ---

8 THE WITNESS: And get back to the Canadian
9 side, it is a distance of 53 miles.

10 -----
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MR/RPS

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French

THE CHAIRMAN: And this would have been done by taxi?

THE WITNESS: Yes.

THE CHAIRMAN: Did you make an investigation about the cost?

THE WITNESS: It would have been a little difficult. If on a given occasion the American Association had offered the Canadian pilots but if Canadian pilots, all Canadian pilots disembarked at Cape Vincent and would consent to use a taxi system, transportation system, I think at that time it would have been possible to establish a cost of \$8 but naturally all pilots would have had to avail themselves of that system of transportation and sign a kind of a contract for the whole navigation season.

THE CHAIRMAN: Consequently, the whole trip would have taken you about an hour and a half to two hours?

THE WITNESS: Yes, at least an hour and a half.

THE CHAIRMAN: Once you are on Wolfe Island how long does it take you to reach Kingston?

THE WITNESS: I could say that in many cases we have been assigned to certain vessels and it seems that the agent has made a mistake concerning the E.T.A. then 20 minutes after having been called at the hotel, we were on board the vessel at Cape Vincent. Well in most cases it takes about 25 minutes.

THE CHAIRMAN: Are there any other means



1 French
2 of transportation aside from that of Captain Dougan
3 between Wolfe Island and Kingston that you could use?

4 THE WITNESS: I don't think so because for
5 this transporation -- you mean navigation on the island
6 or through both?

7 THE CHAIRMAN: Well covering Alexandria
8 Point and leaving from there to go to Kingston?

9 THE WITNESS: Well I think that in order to
10 give such a service a man has to be fully equipped and
11 for a man to be fully equipped for that type of
12 work, well the capital expenditure would be quite
13 high. While Mr. Dougan is completely well equipped
14 for that type of work.

15 THE CHAIRMAN: As I mentioned before, I
16 understand that there is a traverse between Kingston
17 or the crossing between Kingston and Wolfe Island?

18 THE WITNESS: Yes, there is a ferry boat
19 there but on many occasions we try to compare the
20 two means of transportation. When a pilot was
21 assigned to duty on a vessel, as you know, the pilot
22 is given, or is ordered two hours in advance. If the
23 E.T.A. is for noon, well the pilot is called at ten
24 and in most cases it seems that most of the transport-
25 ation does not correspond always; when you have the
26 ferry, it's a crossing only every hour and a half well
27 naturally it is impossible for the pilot to avail
28 himself of this service.

29 THE CHAIRMAN: And in the nighttime?

30 THE WITNESS: There is no means of



1 French

2 transportation at night.

3 THE CHAIRMAN: Your Corporation then studied
4 all these possible means of transportation?

5 THE WITNESS: Yes, especially during the
6 last two years when this problem arose. There were
7 many discussions and all these points were well taken
8 care of by the Corporation with the pilots in general.
9 I think that all pilots are in agreement we need a
10 means of transportation between Longue Pointe and
11 Kingston in order to go and get back from the passage,
12 and then I stated in my preceding evidence for the
13 means of communication existing between Kingston and
14 Cornwall.

15 THE CHAIRMAN: How much does the American
16 pilot boat charge you to go to Alexandria Point?

17 THE WITNESS: There is an agreement accord-
18 ing to which if the pilot goes to Cape Vincent, it's
19 \$10 and if he goes to Alexandria Point it's \$9.

20 THE CHAIRMAN: Are those the same rates
21 if the American pilots use the American pilot boat?

22 THE WITNESS: I think so.

23 THE CHAIRMAN: Or is it a lower rate for
24 you as you must have the additional service on the other
25 side?

26 THE WITNESS: No, because I think that
27 when the arrangement was signed in Ottawa, I think it
28 was on December 5th, 1962, the rate had been established
29 at \$10 for both sides but after certain discussions
30 we finally reached a point where they agreed to cut



1 French
2 the price by \$1 in order to reach an agreement with the
3 pilots because at that time it was not completely assured
4 that the Canadian pilots agreed to take the pilot boat
5 as we had only part of the transportation and at that
6 time the pilots believed it was not fair to disembark
7 them in the middle of the island and leave them there
8 at any hour during the day or night.

9 THE CHAIRMAN: In other words, for the
10 purpose of practical results, it costs \$9 for American
11 pilots to disembark from his vessel and go on board
12 and it cost you \$15?

13 THE WITNESS: No, \$10 for the American
14 pilots because most of the time he goes to Cape Vincent
15 and for the Canadian pilot \$9 to go off at Cape Vincent
16 and \$7 which is paid by the pilot himself to go from
17 Longue Pointe or Alexandria Point.

18 THE CHAIRMAN: So it is \$16?

19 THE WITNESS: Yes.

20

21 CROSS-EXAMINATION BY MR. JACQUES:

22

23 Q. You mentioned an agreement which was
24 signed in Ottawa. What agreement are you referring
25 to? Regarding the operation of the pilot boat?

26 A. Well this is the agreement regarding
27 the dispute existing between the two groups, the
28 American and Canadian pilots for the contract of the
29 pilot boat which has been signed by the Americans
30 without consultation with the Canadian pilots and following



1 French

2 that contract signed by the Americans, without having
3 consulted the Canadians, well we were forced to pay
4 \$20,000 for that contract...

5 Q. This is the contract of \$32,000?

6 A. Yes, and it provided only part of
7 the transportation cost. They took us to Alexandria
8 Point or dropped us at Cape Vincent and naturally
9 many of the Canadian pilots objected to that. The
10 majority of Canadian pilots objected to that and told
11 the Americans that if they figured that they signed
12 an agreement -- if you are responsible to embark or
13 disembark the pilots you should take them to an
14 appropriate place in order to disembark a pilot.

15 Q. This agreement which was signed
16 in Ottawa, between what parties was it signed?

17 A. Between the Corporation of the
18 Upper St. Lawrence Pilots and the Association and
19 the Corporation I think of the American Pilots.

20 Q. Would your Corporation have a copy
21 of that agreement or would there be one in the record
22 in Ottawa?

23 MR. LALONDE: I have one your lordship.
24 Now I would like the witness to clarify the fact that
25 it was in Ottawa. I would not want everybody to
26 understand that the Government had something to say
27 about that.

28 MR. JACQUES: Well I was hoping that the
29 D.O.T. would have a copy of the document in its files.

30 THE CHAIRMAN: Mr. Lalonde asked that the



1 witness explain the idea.

2 A. The agreement was signed in Ottawa
3 not because the authorities of the D.O.T. were present
4 when this agreement was signed, because I think that
5 in August or September we had received a letter from
6 Mr. Booth who stated that he could not find any solution
7 to the problem and he could not do anything for the
8 Canadian pilots and that he had consulted with the
9 American authorities and he had tried to study the
10 matter and he couldn't see any foreseeable solution
11 because the arrangements stated that it was the
12 duty of the Cape Vincent office to give the facilities
13 to the pilots to embark and disembark and that it
14 was their responsibility.

15 MR. LALONDE: This is a letter of July 6th
16 filed as Exhibit 851.

17 THE WITNESS: So after having received a
18 letter the pilots decided to reach an agreement by
19 themselves and settle it as a matter by themselves
20 with the other group.

21 MR. JACQUES: Now this question of the
22 pilot boat service, you indicated the Americans
23 had signed a contract to the amount of \$32,000 for the
24 pilot boat service?

25 THE WITNESS: Yes.

26 Q. Now the Americans signed that
27 contract with whom?

28 A. Well I think it was with the
29 Anchor Boat Line.

30 Q. And this contract of \$32,000, what did



1 French

2 it include?

3 A. I think it was based upon the
4 number of trips of the preceding year, \$10 per trip.
5 I think that during the preceding year there were
6 3,200 trips in this part of the District so they had
7 based themselves upon the number of trips in the
8 preceding year so they had this contract of \$32,000.

9 Q. This had nothing to do with the
10 purchase of a pilot boat? It was the pilots who had
11 asked for a contract to give service to the pilots
12 at \$32,000 per year?

13 A. The Corporation had at that time
14 bought the pilot boat.

15 Q. What Corporation?

16 A. The Corporation of the American
17 Pilots.

18 Q. The Corporation or the Association?

19 A. The Corporation because the
20 Corporation on the American side looks after the
21 pilot boat and the Association takes care of all By-Laws
22 and the like, and the Corporation looks only after the
23 pilot boat.

24 Q. And this Corporation is the Seaway
25 Pilots' Inc. and it's the owner of the pilot boat?

26 A. Yes.

27 Q. Now you said this contract of \$32,000
28 was signed with the Anchor Boat Line Limited?

29 A. Well what happened, in the first
30 place the pilot boat belonged to one pilot and then he



1 French

2 sold his boat.

3 Q. Is that before or after the signing
4 of the contract?

5 A. Before the pilot sold his boat to
6 the Corporation of the American pilots and then the
7 Corporation of American Pilots signed a contract with
8 Mr. Fitzgerald, who had the dispatching contract at
9 that time, so they signed a contract with Mr. Fitzgerald
10 and rented him the boat so that he may be able to give
11 the service.

12 MR. LALONDE: What you call the Pilots'
13 Association is this the Seaway Pilots' Inc. or the
14 Pilots' Association?

15 THE WITNESS: It's the Seaway Pilots'
16 Inc.

17 Q. And all the pilots are not members
18 of it?

19 A. That is correct.

20 Q. You say that the contract was
C2 21 \$32,000 and it was decided that the Canadians would
22 pay \$20,000?

23 A. Yes, because there were 12 Canadian
24 pilots and eight American pilots in the District.

25 Q. And then you said you were not
26 consulted prior to the signing of the contract ?

27 A. That is correct.

28 Q. And the agreement which followed
29 all these negotiations, the agreement that was signed
30 in Ottawa between your Corporation and the Association



1 French

2 of American Pilots ---

3 A. The Corporation of the American
4 Pilots.

5 Q. The Seaway Pilots' Inc?

6 A. I think that the two parts are
7 included therein.

8 MR. LALONDE: The agreement is between the
9 Corporation of the Upper St. Lawrence Pilots and the
10 St. Lawrence Seaway Pilots' Association and the
11 Seaway Pilots' Inc.

12 THE CHAIRMAN: What is the date?

13 MR. LALONDE: December 5th 1962 your
14 lordship.

15 THE CHAIRMAN: You are going to file it as
16 Exhibit 871.

17 MR. LALONDE: I have a typed copy and I
18 have the original here.

19 MR. JACQUES: Could you please show the
20 original contract, and then we could certify it.
21 Perhaps my colleague could certify the copy.

22 THE CHAIRMAN: That is a good idea.

23
24 ---EXHIBIT NO. 871:

Agreement between the
Corporation of the American
Pilots, the Seaway Pilots'
Inc. and the Upper St.
Lawrence Pilots.

25
26
27
28 Q. Now in this agreement it was
29 decided that \$10,500 would be paid out. Is that so?

30 A. This is so. Before the agreement



1 French

2 was signed it was mentioned that neutral ground should
3 be chosen for the group before the agreement could be
4 signed on this pilot boat.

5 Q. Thank you.

6 THE CHAIRMAN: Are there any other questions?
7 Thank you Captain Bissonnette.

8 MR. LALONDE: My lord, yesterday I mentioned
9 the discussions with the Transport Department about the
10 auditing of financial statements for the American
11 operation and the Canadian authorities wanted to be
12 consulted and would like to demand a prior consultation
13 in this respect. I note that in exhibit which was
14 filed yesterday as No. 850 a letter from myself to
15 Mr. Alan Cumyn, the third paragraph, this very point
16 has been raised. This letter is a reply to a letter
17 from Mr. Alan Cumyn to myself in this respect about
18 an increase which was contemplated in the administrative
19 expenses on the American side. This note was written
20 to me on February 15th 1963. Mr. Cumyn replied to me
21 and I have here the copy of the letter which I could
22 append to Exhibit 850 which has already been filed.

23 THE CHAIRMAN: This is appended. What is
24 the date of the letter?

25 MR. JACQUES: February 15th 1963 from Mr.
26 Cumyn to Marc Lalonde.

27
28 LAURENT HAMELIN, Sworn

29 DIRECT EXAMINATION BY MR. JACQUES:

30 Q. How old are you Mr. Hamelin?



1 French

2 A. Sixty-one.

3 Q. You are a pilot in the Montreal-
4 Quebec District section Montreal-Three Rivers?

5 A. Yes.

6 Q. For how long have you been a pilot
7 there?

8 A. Since 1937, the spring of 1937.

9 Q. When you became a pilot in 1937 did
10 you immediately become a member of the Association
11 called the United Montreal Pilots?

12 A. Yes sir.

13 Q. Did you remain in this Association
14 up to date?

15 A. Yes sir and I even contributed as
16 a director of the Association to the renewal of the
17 contract.

18 Q. When was that, more or less, can
19 you remember?

20 A. The contract will expire in 1968 so
21 that must have been about 20 years ago.

22 Q. The reason that you are a witness
23 here today is that we have been informed that you are
24 not a member of the new Association set up by the
25 pilots?

26 A. That is right. I have not signed.

27 Q. What interests us particularly is
28 the reason why you have not signed?

29 A. Well first of all I had a contract
30 which satisfies me. I was happy with the contract which



1 French

2 I had, which is a United Montreal Pilots and then we
3 were submitted a draft, which is called draft No. 1.
4 Then after having read this draft No. 1 I decided there
5 was something which was not quite right because ---

6 Q. Just a minute. When were you submitted
7 draft No. 1?

8 A. During the general season by the
9 directors, in the course of a general meeting.

10 Q. What was wrong? What did you think
11 of the draft?

12 A. I took the draft No. 1. I read
13 it several times and I went to consult with a lawyer
14 in order to have a complete study and I went to see
15 the lawyers Lafleur and Gagnon here in Montreal. After
16 a few weeks a little explanatory note was circulated
17 about the draft and we were told that it was not in
18 our interests to sign this draft. That it was the
19 Board of Directors which was given too much power. That
20 we were advised anyway not to sign. I have here the
21 copy which was given to me through the lawyers, Lafleur
22 and Gagnon in February 1959.

23 We were told in this letter that there
24 was danger for us and that the Board of Directors were
25 granted too much power.

26 Q. When you speak about this consultation
27 it seems that you do not refer to yourself only. Were
28 there several of you?

29 A. There were three of us altogether, Mr.
30 Morrisette, Mr. George Belisle



1 French

2 and myself. I was the last one who joined this group.

3 Q. Your lordship this document is an
4 opinion from Messrs. Lafleur and Gagnon on what
5 seems to have been a draft text for a Corporation.
6 Could we take this document?

7 A. Yes.

8 THE CHAIRMAN: Would you like to read it
9 out to be filed as Exhibit No. 872.

10

11 ---EXHIBIT NO. 872: Opinion from Messrs.
12 Lafleur and Gagnon to
13 Mr. Hamelin and others
dated February 20th 1959.

14 MR. JACQUES: A copy will be made of
15 this document, Mr. Hamelin, and we will send you back
16 the original.

17 THE WITNESS: All right. This is already
18 a copy. It is not the original. It is a copy.

19 Q. I gathered that much. Would you
20 like to have this copy sent back to you?

21 A. Yes, if possible.

22 Q. Now would you like to explain to
23 us briefly the reasons why you did not become a member
24 of this Corporation?

25 A. Well there were at that time -- there
26 was an Article 92 which I could not accept. Here I
27 speak on my own behalf. I do not speak on behalf of
28 the group. There is an Article, particularly Article
29 92 which gives too much power to the Directors and
30 I couldn't accept it.



1 French

2 Q. Was that in draft No. 1?

3 A. Yes, in draft No. 1. At the end of
4 the year this Article was abolished for the year and
5 it was thought that the year after they might put it
6 back again. In the next year there was a meeting in
7 Three Rivers.

8 Q. Which year was that?

9 A. Well we were set up in 1959 or 1960.
10 Which was it, 1959 or 1960?

11 MR. LALONDE: December 2nd 1959.

12 THE WITNESS: Well this being the winter,
13 at the general meeting in Three Rivers we had been
14 convened to the assembly of the United Montreal Pilots
15 but we had not been convened to the meeting of the
16 Corporation of Pilots and after consultation with our
17 lawyers we were advised to attend the meeting. Our
18 money was used for covering the expenses throughout
19 the year. We were entitled to attend the meeting.
20 Therefore, we went to it. We went there as a group,
21 if I remember correctly. We met rather late in the
22 afternoon, at a time when normally the assembly is
23 adjourned and started the meeting. We were invited
24 to go out.

25 Q. Who did you say?

26 A. The President, the same one as
27 today. We were told to go out, to leave the room and
28 we saw then that these people did not want us there.
29 They wanted us out. I don't know what would have
30 happened after this assembly if we had been given the



1 French

2 possibility of staying there but before signing something
3 important, one has to be invited.

4 Q. When you were asked to go out, were
5 you explained why?

6 A. Yes, because I had not signed the
7 Corporation. Therefore, I was told it was not our
8 meeting. We were told it was not our meeting. We
9 had to get out of the room. We asked for a certain
10 explanation and then we went out, left the room and
11 we went back to the meeting of the United Montreal
12 Pilots and there we were given information but there
13 were things which had been studied and studied all
14 over again during the first meeting. We were a group
15 of nine or ten, that took a long time to re-assemble;
16 of course a lot of ill-feelings in the audience.

17 Q. Is there ill-feeling in the room?
18 All right, but the President of the assembly, the
19 officers of the assembly, did they refuse to give you
20 explanations?

21 A. No, they haven't refused but the
22 rest of the pilots who were there, who had lost time
23 the day before studying the same problem, they didn't
24 want to go over it again. We decided to go back home
25 and stay there until the end of our career. I thought
26 I was too old to take proceedings.

27 Q. During the setup of the Corporation
28 were there meetings convened in order to explain the
29 aim of the Corporation and its workings?

30 A. Yes.



1 French

2 Q. Did you attend such assemblies?

3 A. Yes...

4 Q. Did you receive invitations to
5 these assemblies prior to the formation of the Corporation?

6 A. Yes...

7 Q. Did you put questions?

8 A. Yes...

9 Q. Did you get answers to your questions?

10 A. Yes and no.

11 Q. Could you make yourself a bit
12 clearer?

13 A. Yes. I put questions on my own
14 behalf. We asked particularly to have in the room
15 the lawyer Gagnon to present our explanations and it
16 was turned down.

17 Q. Were you explained why?

18 A. No. The audience said no. At that
19 time the legal adviser was Mr. Lafleur.

20 Q. Who was the other one?

21 A. The other one whom I have mentioned
22 was the President at that time.

23 Q. Your lawyer was not admitted in the
24 room?

25 A. No. He had to stay in the anteroom.

26 Q. What did you do then? Did you put
27 your questions all the same?

28 A. Yes, I put questions, the questions
29 I wanted to put. I said I couldn't agree to the signing
30 of the contract and I didn't sign.



1 French

2 Q. The Directors of the United Montreal
3 Pilots, did they send you the balance sheet of the
4 United Montreal Pilots every year?

5 A. Yes.

6 Q. Are you convened every year to the
7 assembly?

8 A. I am not convened to the assembly
9 of the Corporation. I am only convened to the assembly
10 of the United Montreal Pilots and in order to save
11 trouble I am not going there because it kicks up a
12 fuss and it is far too much upheaval there. I stay
13 at home but we pay. That is all we do, just pay.

14 Q. Do you have any comments on the
15 expenditures incurred by the Corporation and for which
16 you are partly responsible?

17 A. I find those expenditures extravagant.

18 Q. Where?

19 A. All over the place.

20 Q. Could you be more specific?

21 A. No, I don't want to go into details
22 because I knew nothing about the Corporation. I don't
23 know anything. I don't know anything as regards the
24 money which is paid at the end of that year. I know
25 that this amount of money is quite considerable and
26 considerable enough for us to say that it is really
27 extravagant.

28

29

30



1 French

2 Q. Did anyone get in touch with you since
3 1954 so that you became a member of the Corporation?

4 A. No. Nobody mentioned it to me.
5 The pilots are all my friends. Well, of course, I have
6 been approached here and there, but I can't say that I
7 have been officially approached.

8 Q. Every year did somebody tell you to,
9 come and join us?

10 A. No.

11 MR. JACQUES: Thank you.

12 THE CHAIRMAN: We will have a 10 minute
13 recess.

14

15 ---A SHORT RECESS.

16

17 ---FOLLOWING THE SHORT RECESS:

18

19 CROSS-EXAMINATION BY MR. LALONDE:

20 Q. Do you know exactly how many members
21 of your District are not members of the Corporation at
22 the present time? I am told eight. Would that be
23 possible?

24 A. Yes, it could be possible.

25 Q. Your colleagues ever since 1959, have
26 they made any threats or discrimination towards you
27 because you were not a member of the Corporation?

28 A. No.

29 Q. I would like to raise another subject
30 matter. Do you use the pilot boat at Three Rivers?



1 French

2 A. Yes.

3 Q. Are you satisfied with the service
4 given at Three Rivers?

5 A. I am not satisfied. This is about
6 the first dangerous location for me during the
7 navigation season because it is not a good boat. Even
8 at this time of year there is no compass on board the
9 boat.

10 The day before yesterday I was dropped off
11 in a small launch where there were eight pilots on board.
12 There were three boats and another going downstream
13 and consequently there were eight pilots on board.
14 Usually such a launch should have the capacity of
15 four men. I don't know the specification, but approx-
16 imately four.

17 Q. Was there a pilot boat on regular
18 service during the summer?

19 A. Yes.

20 Q. Do you know what the name of the
21 boat is?

22 A. No. So when I disembarked, I asked
23 how come we were in such a situation, and I was told
24 that the other boat was out of repair.

25 Q. This is the pilot boat used in the
26 summer?

27 A. Yes.

28 Q. Did you have an opportunity of
29 being fully informed about the present pilots of the
30 Corporation?



1 French

2 A. Yes...

3 Q. Did you receive a copy of these

4 By-Laws?

5 A. Yes...

6 Q. Did you receive a booklet such as
7 this one?

8 A. Yes. This booklet has been filed
9 before this Commission, and the Article I spoke about
10 is No. 85 in this booklet.

11 Q. Did you notice in particularly Article
12 85 that no amendment may be made in the By-Laws by the
13 Board, everything has to be done by election at the
14 general annual meeting of the members?

15 A. This is something that is not too
16 interesting. The rest is interesting. The election,
17 it is not the most interesting part of it. There was
18 no change in the first paragraph of the Board of
19 Directors as to council amendments. This is what
20 interests me. The general annual meeting is a trick
21 or system where each and every one replies to one
22 another.

23 Q. Do you think that the general annual
24 meeting is a kind of a tricksters' meeting? Could
25 you please explain your answer?

26 A. It is a type of trick meeting.

27 Q. Were you the President of the United
28 Montreal Pilots?

29 A. No.

30 Q. Were you an officer of the Society?



1 French

2 A. For six or seven mandates I was a
3 member of the Board.

4 Q. Were there consecutive terms of
5 mandates?

6 A. Certain were consecutive. On three
7 occasions they were not consecutive.

8 Q. Who was the President at that time?

9 A. Mr. Leon Gendron. Orance Arcana,
10 Amalele Perron.

11 Q. For how long did Mr. Leon Gendron
12 remain President of the Corporation?

13 A. Quite a number of years. I couldn't
14 tell you accurate.

15 Q. Was he President for more than ten
16 years?

17 A. I think so.

18 Q. Consecutive turns?

19 A. Yes, I think so.

20 MR. LALONDE: Your lordship, we are
21 referring to the draft General By-Law No. 1. Perhaps
22 it would be possible to trace back that draft, but
23 in substance it is the General By-Law No. 1 which
24 exists at present. If the Commission would be interested,
25 I could try to trace back on the By-Law.

26 THE CHAIRMAN: This is not absolutely necessary.
27 At the present time it is especially Section 85 to
28 which the witness is referring. But, if we need it
29 we are going to contact you eventually.

30 Q. The first draft of paragraph 85 seems



1 French

2 to be produced in stencil, the draft By-Law which has
3 been given by Mr. Gagnon at the time. It is filed as
4 Exhibit 872.

5
6 CROSS-EXAMINATION BY MR. BRISSET:

7
8 Q. Mr. Hamelin, you produce as Exhibit
9 872 a letter of your lawyers Lafleur and Gagnon.

10 THE CHAIRMAN: Exhibit 871 is the agree-
11 ment with the American pilots.

12 Q. The letter of your lawyers Lafleur
13 and Gagnon dated February 28th, 1959 in which they
14 proceed with the analysis of the draft By-Laws of the
15 Corporation. I would like to draw your attention to
16 the comments made by your lawyers and I quote:

17 " One must not forget that the fees
18 earned by each pilot in the performance
19 of his duties belong to him. It is his
20 way of earning his living. Consequently
21 it is extremely important that all of
22 his earnings be done in the most rigid
23 and most restrictive conditions."

24 The pilots understood that very well
25 as is indicated by the Society contract or deed of
26 pilotage which you have submitted to us and the pilots
27 of the Society which is still in force. In the
28 convention, the responsibilities and general duties
29 of the members elected to the Board of Directors are
30 defined in an extremely precise fashion and it should be



1 French

2 in Article 14. The elected Directors are constituted
3 as being the trustees and lawyers of the Society.
4 Consequently they have to answer to the members of the
5 Board, and the expenses they undertake with the funds
6 of the Society are very carefully restricted.

7 MR. LALONDE: I would like to call attention
8 to paragraphs 13, 14 and 15 and the deed of pilotage
9 of the Montreal United Pilots. Article 13 reads
10 as follows:

11 " The Directors will establish a
12 Board of Directors which will circle the
13 matters regarding the meetings and procedure
14 to be followed at these meetings. It will
15 be entrusted with this convention to
16 implement the regulations. The quorum
17 would be three. They have to elect a
18 President, Vice-President and Secretary-
19 Treasurer (it will not be necessary for
20 the Secretary-Treasurer to be a member of the
21 Society).

22 We will decide about the expenses,
23 will hire the staff and the personnel and
24 will do everything in our power for the
25 efficient working of the Society.

26 Article 14. The Directors are
27 constituted as being the trustees of the
28 undersigned and for all of the members
29 of the Society with powers and special
30 terms of reference of collecting, receiving



1 French

2 and obtaining and recovering and put in
3 a common pool and administering the amounts
4 receivable due to all the members for
5 pilotage services. And through a resolution
6 they may delegate the Secretary-Treasurer
7 of the mandate of collecting such monies.

8 Article 15, the undersigned as
9 well as all the members of the Society
10 declare that delinquents are renounced
11 for the whole duration of membership of the
12 Society to the rates they may have of
13 collecting personally the pilotage dues
14 and they declare that they will give to
15 the Society all the amounts of dues they
16 collect and appoint the Directors of the
17 Society with the delegation of powers to
18 the Secretary-Treasurer and special lawyers
19 in order to receive the said monies and
20 give receipts. They commit themselves
21 to sign and consent and deliver to the
22 Directors or the delegated Secretary-
23 Treasurer any document, transfer orders
24 that may be requested for them in order
25 to facilitate the collecting of dues by
26 Directors and the Secretary-Treasurer."

27 Thank you.

28 Q. May I go on with the reading of this
29 letter.

30 In the draft of the Corporation it is the



1 French

2 other way around. The members who have first alienated
3 their rights of the results of their work are not
4 requested to alienate them to an all-powerful administrat-
5 ion as regards the administering and supervising of
6 their property.

7 Mr. Hamelin, when the Commission put a
8 question to you, you answered you had, and that was
9 it.

10 A. That is so.

11 Q. Would you like to explain what
12 was in your mind? What is the difference in practice --
13 let us leave aside the legal point of view -- between
14 what was taking place before the Corporation came into
15 being and since the Corporation has been created.

16 A. Mr. Lalonde has just said a few
17 words about it. In the Association we divided up the
18 money earned and the Directors -- there were five of them
19 -- run the business or run the show, as they say.
20 There was no trouble and everybody received an equal
21 share of the money earned after, of course, the
22 administrative expenses and pension funds have been
23 paid for. Today, with the Corporation, we have had
24 different types of pilots, class A, class B, class C,
25 class A2, 3, and so on and so forth. My salary has
26 been taken to give out premiums. The money earned
27 is still not divided up, but what is left is divided
28 up. That is the difference.

29 Q. With regard to administrative
30 expenses of yourself and your group of nine or ten people,



1 French

2 do they have anything to say in this respect?

3 A. From the others I do not know. But
4 personally they are extravagant. As I said before, we
5 did not do anything about administration. I knew nothing
6 about administrative methods. I can only see from
7 the balance sheet what has been spent and what has been
8 earned. I think the difference is quite important. That
9 is all I can see. The last balance sheets proved
10 to us that it was a very costly business.

11 Q. Would you like to give an example
12 of how much it costs to run the joint fund as compared
13 to what happens now?

14 A. If I recall, when I was Director
15 the cost was 1.9 or 2 per cent. Today it has increased
16 and the percentage is more than double.

17 Q. Could you give us precise figures?

18 A. No, I cannot because I haven't got
19 those figures.

20 Q. I'd like to quote to you another
21 abstract from the letter, Exhibit No. 872, in which
22 your attention is being drawn to the provision of
23 Article 86 of the draft where it is said in Paragraph A,
24 the Board of Directors may amend the By-Laws adopted,
25 amend or adopt a new regulation and have it put into
26 force immediately without it being sanctioned by the
27 members in the course of a general assembly.

28 In Paragraphs B and C it is stated that the
29 members may, under certain circumstances, submit for
30 the following general assembly, yearly or special, any



1 French

2 draft regulation or draft amendment or draft abrogation
3 of the present regulations. In both cases the Board
4 of Directors may amend a draft or any other recommend-
5 ations which they may deem advisable which seems to mean
6 that the general assembly would have to decide on the
7 matters of modifying or amending a draft as presented
8 by the Board of Directors.

9 At the end of Paragraph D it is stated that
10 the powers of the Board of Directors are really extra-
11 ordinary.

12 MR. LALONDE: Any questions on the
13 previous quotation?

14 MR. BRISSET: No. I will carry on with the
15 quotation.

16 At the end of Paragraph D, the powers of the
17 Board of Directors are really extraordinary. These
18 provisions refer to Article 50 of the regulations
19 dealing with questions not on the agenda during the
20 general meeting. According to these provisions

21 "No decision of substance can be
22 "taken on a question which has not been
23 "mentioned in the convention notice and
24 "which is not submitted to the assembly
25 "by the Board of Directors except in the
26 "case of a unanimous number of members
27 "attending."

28 This universal consent is demanded. But
29 even granted and even after this unanimous agreement
30 is reached and cleared and a specific decision is made



1 French

2 by the general meeting, the Board of Directors is not
3 bound later on to follow and reply. This is the rule
4 which is made in the course of the general assembly, if
5 after study it deems advisable to act in a different
6 way.

7 Mr. Hamelin, is this the provision to which
8 you had objections made?

9 A. Yes. It is one of the points.

10 Q. So Article No.92 is now replaced
11 by another Article?

12 A. Yes, that is so. This question is
13 a question of dictatorship. That is why I said I had
14 not signed. This was advised by the lawyers who told
15 us it was not natural for us to change a contract like
16 ours and replace it by a Corporation contract with such
17 a principle. Therefore, I haven't signed this.

18 Q. Mr. Hamelin, earlier on you spoke
19 of balance sheets and financial statements from the
20 Corporation and from the Association since. Up to now
21 it seems to be one and the same person. I would like
22 to refer you to the financial statement for the financial
23 year ending December 31st, 1962 which is Exhibit 785.

24 Would you like to tell me whether you have
25 received that as a pilot, not as a member of the
26 Corporation, but a member of the Association of United
27 Montreal Pilots. Did you receive a copy of this
28 financial statement for last year?

29 A. Yes. I received this financial
30 statement.



1 French

2 Q. The document which you have received,
3 was it similar to this one or did it include other
4 sheets? Was it different from this one?

5 A. I was called upon last night to come
6 here, and I disembarked from the boat. I was called
7 at six p.m. and I have not had time to study any
8 document. I would think it is similar. Our Secretary
9 Mr. Armand has given those figures and therefore they
10 must be authentic, and that is what I believe.

11 Q. On top of this statement, which you
12 have now in your hands, you have given a statement
13 about the division of the joint pools indicating the
14 amount disbursed to each pilot.

15 A. I think so.

16 Q. Was this statement part of this
17 same document as the one you are reading now or was
18 it sent to you at the same time?

19 A. It was sent out to me at the same
20 time. It is the amount of money which each pilot has
21 had in the course of the year whether a grade A, B,
22 C. The amount of money does not appear, but the amount
23 of money paid out which I received in this report which
24 was sent out to us as of every year.

25 Q. In other years, at the same time
26 as you were given the balance sheets similar to
27 Exhibit 785, you are also given another statement indic-
28 ating the amount paid out to each pilot from the common
29 pool but which does not refer to the amount of money
30 earned by each pilot and the pilot fees or work carried



1 French

2 out?

3 A. Formerly in the days of the Association,
4 this amount of money appeared. But, it no longer
5 appears. In the last few years the amount of money
6 earned by the pilots does not appear.

7 Q. In other words, since the Corporation
8 is administering the common pool it no longer indicates
9 -- one no longer informs the pilot as regards the
D3 10 rates or the money he has made himself personally through
11 his work?

12 A. I think that was started a year or
13 two before the setting up of the Corporation. We never
14 know the statement of expenditures when we get our
15 cheque. We have the amount of money on a slip on the
16 cheque and it says the balance is such and such an
17 amount of money and that is all. No breaking down
18 of monthly expenses. We are not given this information.

19 Q. Mr. Hamelin, did you ever get copy
20 of the brief which was going to be presented by the
21 Federation of the St. Lawrence Pilots to this Royal
22 Commission?

23 A. Yes, sir.

24 Q. Have you had an opportunity to read
25 or study it?

26 A. Not thoroughly.

27 Q. What time did you receive this brief?

28 A. In the course of the summer. I
29 couldn't tell you exactly which date. Sometime in the
30 summer of 1963.



1 French

2 Q. Did you write or did you communicate
3 in one way or another with the Directors or the
4 Administrators of your Corporation?

5 A. No sir. No, I didn't have anything
6 to do with it. Since we asked Three Rivers and they
7 don't want it, and I stay quietly at home and I don't
8 deal with any of their business, and that is what I
9 do.

10 Q. Are you informed about the recommend-
11 ations by the Federation?

12 A. Yes. Yes, I received the bulletins
13 from the Federation. They send out to me every month
14 or every other month. I think every month.

15 Q. Are you informed about this recommend-
16 ation, this general recommendation to the effect that
17 the pilots who are in your District won't assume the
18 whole of the administration of pilotage services subject
19 to the guidance of the Transport Minister, of course.

20 A. I am informed hearsay at the hotel
21 or embarkation stations, and so forth.

22 Q. Do you have an opinion on the matter?
23 Do you think that pilots should take the responsibility
24 of the administration of the pilotage services through
25 the medium of the Corporation?

26 A. I don't think so, because pilots
27 are not businessmen. I don't think so.

28 Q. When you say that pilots are not
29 businessmen, what are you hinting at??

30 A. It means that they cannot bring



1 French

2 business forward and develop a business.

3 Q. In other words, what is of interest
4 to you is the piloting of a boat?

5 A. Yes. It is pilotage. If you have
6 one boat a day and six per week, you have no time for
7 anything else.

8 Q. In which part of the District do you
9 pilot?

10 A. Montreal, Three Rivers.

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MR/RPS

1 French

2 Q. Regarding your personal relationships
3 with the Corporation of your District, are there
4 certain incidents that you would like to talk about
5 before this Commission?

6 A. No. I never spoke a word about it.
7 I never go there. I never meet anyone from the Board
8 of Directors and consequently I never speak about these
9 matters.

10 Q. Do you remember the stoppage of
11 work which took place in the month of April 1962?

12 A. Yes sir.

13 Q. Do you know the reasons which gave
14 rise to this stoppage of work regarding your own District,
15 Montreal-Quebec?

16 A. I know that there was a mention made
17 of money, an increase, but I didn't hear about anything.
18 I didn't attend any of the meetings at any time and
19 consequently I am not aware of any question and after
20 that I just stayed home and just waited.

21
22 Q. For what reason did you stay home
23 instead of going on piloting yourself? Due to the
24 fact that you did not belong to the Corporation and
25 that you were not bound by the decision of the Corpor-
26 ation as such?

27 A. Well I wasn't called to do some
28 pilotage during that period of time and it was not
29 my intention to perform my duties. I was a pilot during
30 that crisis because I found myself too young to die.



1 French

2 Q. What do you mean by saying that you
3 found yourself to be too young to die?

4 A. Well by that I mean I did not want
5 to expose myself.

6 Q. To what?

7 A. To what may happen, what generally
8 occurs in such cases.

9 Q. What happens in such cases that you
10 were afraid of?

11 A. Well perhaps find myself in the
12 hospital one day and then in the future people you
13 are in contact with on a constant basis, well makes
14 you ponder; it isn't only something that might occur
15 in the moment but what might happen at the future?
16 Today I am outside the Corporation. I meet all of the
17 pilots. They are all my friends and never mention the
18 word Corporation so our relationship is smooth but
19 when the members of the Corporation has said there
20 would be a stoppage of work, I did not want to expose
21 myself. There was a danger of going on board a vessel
22 or disembarking after the trip and then the ill-feeling
23 that would have remained for the rest of my working
24 days, consequently I decided that there was too much
25 at stake in order to risk it.

26 Q. You said you were not called by the
27 dispatcher?

28 A. Yes, that is right.

29 Q. Normally, whenever there are some
30 pilots who are not available, am I to understand that the



1 French

2 dispatcher is going to contact the next pilot on the
3 tour de role?

4 A. Yes, I think so. I don't know.

5 Q. But at any rate you have not received
6 any call from the dispatcher on duty during the period
7 of the stoppage of work?

8 A. That is correct.

9 Q. Do you know if the nine other pilots
10 of your District who had not belonged to the Corporation
11 have received calls from the dispatchers?

12 A. I couldn't tell you. I don't know.

13 Q. Now you mentioned that you stayed
14 home during the period of the stoppage of work. Just
15 the same, did you try to follow one way or another what
16 was going on?

17 A. Yes.

18 Q. How?

19 A. Well I was listening to the radio
20 but I did nothing more.

21 Q. Did you receive circular letters at
22 that time?

23 A. Yes, from the Corporation.

24 Q. Now to get back to the opinion that
25 you have received in February 1959 from the lawyers
26 Lafleur and Gagnon, could you tell me if something
27 was undertaken either by you or your group upon the
28 receipt of that legal opinion regarding the Corporation
29 at that time? You stated beforehand, if I may sort
30 of remind you, you said something to the effect that you



1 French
2 were too old to go on?

3 A. Well subsequently we asked for Mr.
4 Lafleur & Gagnon to attend our general meeting in Montreal
5 upon the signature of the Incorporation Act. Those were
6 steps we took. We asked for Lafleur and Gagnon
7 to attend the meeting. He came and he was not received
8 by all the Directors. They did not want to admit him
9 at the meeting and we had asked them to explain what
10 was the Corporation. That is what we wanted in order
11 to enlighten the audience but the audience reacted
12 differently. What I might add is that today, well
13 there are more people who are not satisfied than
14 people that are satisfied.

15 Q. When you mention that you mean amongst
16 the pilots on duty?

17 A. Yes, amongst the pilots that I am
18 in contact with every day.

19 Q. But after having consulted Mr. Lafleur
20 and Gagnon, you were denied the authorization of having
21 your own lawyer or your own counsel with you at the
22 time, did you do something else?

23 A. Yes. We staying to the end of the
24 meeting and we said now there is no possible grounds
25 for any settlement or solution so we are leaving, so
26 I went.

27 Q. After that meeting did you consult
28 your counsel once more?

29 A. Yes.

30 Q. Was there any decision made regarding



1 French

2 what you were to do in the future?

3 A. No. That is to say we had decided
4 to do something but we did not act because if we are
5 ten, we must be ten in order to pay and a man alone
6 cannot undertake to do something and pay for it alone
7 so finally I said I will have five or six years before
8 my retirement and consequently I am going to put a
9 final point here.

10 Q. In other words, you did not feel
11 in a position to meet the Corporation?

12 A. Not financially speaking.

13

14 RE-DIRECT EXAMINATION BY MR. JACQUES:

15

16 Q. You mentioned before that now you have
17 found that there were more pilots that were dissatisfied
18 than there were satisfied pilots?

19 A. Yes, but I want to add that I am
20 not undertaking an investigation about that. This is
21 only what I hear in hotel lobbies. I hear those who
22 are not satisfied here. I hear the conversation and
23 that is why I deduce from that that there are many who
24 are not satisfied. As the song goes, if everything
25 was to be started all over again, it would not be
26 started all over again.

27 Q. What is the reason for the discontent
28 of these unsatisfied pilots according to your own
29 opinion, what you were able to notice?

30 A. It is very difficult to say. It is



1 French

2 very difficult to answer such a question.

3 Q. Do people say that the business
4 is badly administered; too much money is being spent?

5 A. Yes, this can be heard and besides
6 there was grade C and grade A had been established
7 and once they were assigned to a vessel, there are
8 seven or eight before you and you have to leave before
9 seven or eight because they don't have the grade to
10 pilot such a grade of vessel and the same thing happens
11 every day. Well the different grades in pilotage, I
12 think have given rise to more ill-feeling amongst
13 pilots than anything else.

14 Q. To what grade do you belong?

15 A. I am grade B. When grade A was
16 established, I was left aside and the next year I
17 was called but I answered that I was not more competent
18 this year than last year and consequently I wanted to
19 remain as grade B.

20 Q. You would have earned more money?

21 A. I am not interested in that. This
22 went against my principles. I should take my own
23 money in order to pay a bonus, because grade A get
24 \$25 per vessel they pilot. Consequently I was not
25 interested to take the pay of my colleagues in order
26 that I should be paid \$25. All these people have the
27 same licence as I have, and had no more experience
28 than I had when the selection took place so I thought
29 if I was not any better last year, I am no better this
30 year.



1 French

2 Q. Before the establishment of the
3 different grades of pilots, were you a special pilot?

4 A. Yes.

5 Q. For what line?

6 A. I was for the coasting ships who were
7 piloting; the Norweigan American Line, the Kerr Steamship
8 and Thortal and also the oilers of Petrofina.

9 Q. For how long were you a special pilot?

10 A. Well I would say about seven or
11 eight years, approximately. I couldn't be more accurate
12 than that.

13 Q. You mentioned that you complained
14 about the fact that you did not know what your earnings
15 were. You didn't know what your own work earned you.
16 Did I understand you properly?

17 A. Yes, that is correct.

18 Q. I have some figures here based on
19 the document regarding Exhibit 864 for the year 1962?

20 A. For everyone? Per person?

21 Q. Per person.

22 A. No, we don't receive that.

23 Q. In 1962 your work earned you \$14,097.72?

24 A. Yes.

25 Q. And for the year 1962 you would
26 have received what amount of money from the Corporation,
27 do you remember?

28 A. I couldn't tell you exactly but I
29 think it is approximately \$11,100-some odd. I couldn't
30 give you an accurate figure.



1 French

2 Q. Thank you.

3
4 CROSS-EXAMINATION BY MR. BRISSET:

5
6 Q. I forgot to ask you beforehand if
7 during that meeting where you were denied to have your
8 counsel with you, I would like to know if Mr. Lajoie
9 was in attendance?

10 A. Yes.

11
12 CONTINUATION OF RE-DIRECT EXAMINATION BY MR. JACQUES:

13
14 Q. I would like you to be more
15 explicit about one point. You led us to understand
16 that you were against grade A pilots?

17 A. Yes, A, B, C. Against the whole
18 system of grades.

19 Q. Would you not favour a system where
20 a young pilot would be restricted to small tonnage
21 vessels or small draught?

22 A. Not according to the system that
23 exists today. I would not be opposed to grade C,
24 so long as grade C would be restricted to the pilot
25 and not as the system is as it exists today.

26 Q. What do you complain about?

27 A. Well you have C1, C2 and C3 so there
28 were too many men before you and we should have a special
29 list for this class C and we should take these
30 fellows intact, instead of having those on the other



1 French

2 list. If we are told that there are 12 on the turn,
3 you leave for half an hour and then the office phones
4 you because the C's are on the same list.

5 I think that we should have two separate
6 lists. One for grade C and one for the other grades.

7 Q. So you would want an assignment list
8 to be made according to the grade of a vessel and the
9 grade of pilots?

10 A. Yes. A list of grade C so a vessel
11 of grade C would take a pilot of grade C until they
12 have used all the pilots on the list.

13 Q. Are you in a position to tell us the
14 number of years which you would deem acceptable for
15 the training of a young pilot of grade C? Do you
16 think he should be on the grade C list for two years?
17 Three years? Five years?

18 A. This is a very difficult question.
19 It depends on the personality of the person. One will
20 have to study for 10 years and yet will not have under-
21 stood correctly what it was all about. Another one
22 will learn in a few years. Therefore, it is a question
23 of individualities. That is my personal opinion, of
24 course, in that matter.

25 Q. Which ticket do you have?

26 A. Coasting master.

27 Q. How long have you been at sea before
28 you became a pilot?

29 A. I was an officer for two years on the
30 Canadian National boats. I sailed for 10 or 12 years



1 French

2 before I became a pilot and I was an apprentice for
3 eight years.

4 Q. Where did you sail?

5 A. On the Great Lakes and on the ocean.

6 Q. Did you sail on the lakers?

7 A. Yes.

8
9 CROSS-EXAMINATION BY MR. LALONDE:

10
11 Q. During the stoppage of work in
12 1962 did you receive any threats, directly or indirectly
13 from your colleagues?

14 A. No sir. I received some telephone
15 calls but I didn't know who made them.

16 Q. Were they threats?

17 A. No, they were not threats and I
18 don't know who was on the phone. They were voices
19 which I didn't know. They were not threats of death.
20 In any case, I couldn't care less.

21 Q. When the company was employing you
22 were there monthly statements sent out about the
23 expenses incurred by the company? Were there monthly
24 or yearly statements?

25 A. Not monthly statements. Yearly statements,
26 but here I would like to add something. In certain
27 Pilotage Districts the statements are sent out every
28 month. In certain Districts, of course.

29 Q. You mentioned the fact that the
30 pilots in the days of the company shared equally the money



1 French

2 earned. You were a special pilot yourself. Did the
3 special pilots get the same amount of money as the tour
4 de role pilots?

5 A. The special pilots received the same
6 amount as the other pilots. Is that the question?

7 Q. Yes?

8 A. If the number of days was equal,
9 at that time I think there was a bonus given by the
10 Shipping Federation whereby the company employing you
11 -- but the money was paid at a hundred per cent and
12 the bonus was something different and if he was not
13 a special pilot at that time, he did not get the
14 \$8, \$10 or \$15 bonus which was paid out by the
15 Federation. Today this comes from the joint pool.

16 Q. If the first year when the system
17 of grades was established you were asked, in the spring,
18 to enter grade A, would you have accepted?

19 A. I would have accepted?

20 Q. Yes?

21 A. I cannot say yes or no. I would
22 have studied the question. I would have decided then.

23 Q. Maybe you could have compromised
24 with your principles?

25 A. Maybe yes, maybe no because the
26 year after I refused on the grounds that the money came
27 out from my own pocket. I was paying a bonus to
28 myself and I didn't want that.

29 Q. Every year is it not true you receive
30 also a report from the President of the Corporation and



1 French

2 from the Montreal pilots together with the balance sheet?

3 A. Yes.

4 Q. Have you ever read it? Do you read
5 it sometimes?

6 A. Of course.

7 Q. You have declared that the administrat-
8 ive expenses, which were 1.92 per cent formally would
9 have doubled nowadays. Did you make any calculation
10 on the matter?

11 A. No. I cannot give you figures, as
12 I said before.

13 Q. I note that in the report for the last
14 year, 1962, Mr. Trembles was then President and he
15 gives a number of figures in the report that the
16 overhead of the Corporation had reached about the
17 same level as the year before that, about 2.7 per cent.
18 This would be a certain increase as compared to the
19 figure which you have quoted of 1.92 per cent but
20 is it not an exaggeration to say that they have
21 doubled?

22 A. Well I did not really say doubled the
23 amount. No amount is doubled. As regards the expenses
24 on there I decided that the balance sheet must have
25 doubled.

26 Q. You do not calculate the balance
27 sheet on this same basis.

28 A. It is not the same basis really.

29 Q. All right. I am not a chartered
30 accountant and you are not either I believe.



1 French

2 A. No, I am not.

3 Q. Mr. George Belisle, who is not a
4 member of the Corporation but who is a member of the
5 Society of Montreal Pilots, Mr. George Belisle proposed,
6 I believe, that the Board of Directors of this company
7 should not be bound by decisions taken during the
8 general meeting without opinion and this is based
9 on the following grounds: that the pilots may have
10 to take a quick decision on questions on which they
11 had no time to think beforehand.

12 A. I have never been a President.

13 Q. No, but if you were present, not
14 President. Were you present at a meeting when Mr.
15 Belisle mentioned this suggestion? Was this adopted
16 before you had time to think it over carefully?

17 A. I do not remember this at all. I
18 don't remember this at all. That must have been years
19 ago. I can't remember.

20 Q. Usually those who speak most, Mr.
21 Hamelin, are they people who are satisfied or people
22 who are dissatisfied?

23 A. There are two categories. Those who
24 are afraid of speaking and those who do speak.

25 Q. Generally those who are satisfied
26 with their fate, are they those who speak most, to your
27 knowledge, amongst the pilots?

28 A. No.

29 Q. You have mentioned -- my colleague
30 Mr. Jacques mentioned that you had received or that you



1 French

2 earned a gross income of \$14,087.72 for 1962. As you
3 know, the Pilotage Authority took ten per cent out of
4 this for the pension fund. Therefore I have made a
5 calculation and you would have earned about \$12,650,
6 more or less as what had been paid to you by the
7 Pilotage Authority?

8 A. That is so.

9 Q. According to the figures given by the
10 Secretary-Treasurer for 1962, you would have received
11 the amount of \$12,349.80?

12 A. It is possible. I don't know. I
13 can't tell you now. Dealing with expenditures, you tell
14 me how much I have earned?

15 Q. Mr. Jacques quoted as an amount which
16 you had earned as pilotage dues \$14,00 and something,
17 less 10 per cent for pension fund?

18 A. Yes, the difference can be established
19 between the amount received and the administration
20 expenses.

21 Q. \$12,350 as compared to \$12,650, about
22 \$300 difference?

23 A. I don't think that is correct. No,
24 I don't think that is enough.

25 Q. All right, we will try and get some
26 evidence about this. Do you have with you a copy of
27 your pilot's certificate?

28 A. No. No, what I do I copy in a special
29 notebook and I add up how much money I earned in one
30 month, two months, three months, and so forth and I calculate



1 French

2 how much money I made in one month or less 10 per cent
3 for the pension fund, and so forth. I made this cal-
4 culation for three months.

5 Q. Then it is always possible for each
6 pilot, who wants to, to calculate how much money he
7 earns in pilotage dues?

8 A. Yes. I have made it for a period
9 of three months but it is rather difficult to do. One
10 has to know how to calculate, because the question is
11 the following: One has so many years and you pay so
12 much. If there is a difference, you get another amount
13 of money but you must have a table for converting the
14 figures, and of course I worked hard for three months
15 to do so but now of course I left it aside but I have
16 at home the figures for a period of three months.

17 Q. Thank you Mr. Hamelin.

18 A. Is that all?

19 THE CHAIRMAN: There are a few more
20 questions. Mr. Hamelin you wanted to attend a meeting
21 of the Corporation and you were told you could not
22 attend because you were not a member of the Corporation
23 but after that you were given the opportunity of
24 attending the meeting of the Association and there
25 you would have been in the position, theoretically
26 speaking, to put any questions you might like to put.
27 You have also told us that you had not done so because
28 you realized that the assembly, the atmosphere of the
29 assembly was unfavourable to this, that it would not
30 be favoured by the other pilots and you no longer asked



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1 French

2 for information from anyone. Now do you think that
3 if there was certain information which you may require
4 about the administration, the expenditures, the vouchers
5 and so forth, do you think this would have been given
6 to you? Do you think they would have given them to
7 you?

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/TT/RPS

1 French

2 A. The regulation of the Corporation,
3 as it is at present, states that the Secretary cannot
4 say anything to anybody. They have to write to the
5 Secretary and the Secretary would submit my request to
6 the Director and the Director would decide whether or
7 not they can give you what you want. Unless I am
8 wrong, this is the pilots of the Corporation.

9 MR. LALONDE: Give me some time to check
10 please.

11 THE CHAIRMAN: At the end of the year you
12 received an auditor's report which is checked by
13 chartered accountants. If there is anything which you
14 want to know you can attend the meeting. Then, of course,
15 you can ask for some information.

16 THE WITNESS: Yes, that is so. But,
17 don't forget that after two days of deliberation
18 in corporation assemblies we cannot start all over
19 again and have them repeating. The atmosphere would
20 not be right. I think there would be many changes
21 if the assembly of the Corporation of Pilots and the
22 Association of Pilots were a joint assembly -- they
23 took place together. If that had been done, I think
24 everything would have been different.

25 THE CHAIRMAN: What I want to know is
26 whether you feel there are abuses. These abuses will
27 not be known to you. You will have no recourse to
28 give them.

29 THE WITNESS: This is a very serious point.

30 THE CHAIRMAN: Of course, there are auditors



1 French

2 who carry out the auditing.

3 These documents are sent out to the Pilot
4 Authorities and if later on abuses are committed, these
5 abuses are projected whether they are dissident members
6 or active members of the Corporation. Do you think
7 the abuses from the Board of Directors can be avoided?

8 THE WITNESS: I cannot reply to this
9 question.

10 THE CHAIRMAN: At present the main point
11 is that you feel that the Board of Directors has too
12 much power.

13 THE WITNESS: I suppose so.

14 THE CHAIRMAN: Does it take too much advantage
15 of this power and if it does so can it not be
16 realized by everybody?

17 THE WITNESS: I would say rather there
18 may be abuses but today we have a type of good people
19 and we have nice people, but tomorrow the people whom
20 we have in pilot circles will be able to abuse the
21 regulations.

22 THE CHAIRMAN: Do not think in terms of
23 men but in terms of theory.

24 THE WITNESS: I trust the Directors of
25 today. But, what will happen tomorrow?

26 THE CHAIRMAN: That is why my question was
27 a theoretical one. You must forget about the men and
28 the regulations used by other men.

29 Do you think that people who want to abuse,
30 this would not be noticed if they want to abuse?



1 French

2 THE WITNESS: Yes, that is what I think.

3 THE CHAIRMAN: I would like you to explain
4 why.

5 THE WITNESS: There are all sorts of ways.
6 I can't tell them here. I can't talk to you about
7 these means. I know there are means, ways and means.

8 THE CHAIRMAN: Thank you very much.

9 Are there any other questions to Mr. Hamelin?

10 Thank you Mr. Hamelin.

11
12 FURTHER RE-DIRECT EXAMINATION BY MR. JACQUES:

13
14 Q. One more question, Mr. Hamelin, do
15 you want to add anything whatsoever to what you have
16 stated today concerning the pilotage in your District
17 or the administration of your Corporation or the admin-
18 istration which is made by the Transport Department?
19 Feel quite at ease about it.

20 A. About the dispatching, we have
21 people in the Transport Department who are not quite
22 satisfactory. When we put forward a request like I
23 did last week, I asked for my turn at 10:00 a.m., and
24 I was told I was fourth. This happened in Montreal.
25 Three Rivers wasn't bad. At 12:30 I called and I was
26 told I was still fourth, and I said, why, how did it
27 happen? They put down the receiver. I had no opportunity
28 to explain. I dialed again and talked with Mr. Hemond
29 and I received a letter. Mr. Hemond writes to me and
30 gives me all the details.



1 French

2 Q. What does he tell you?

3 A. He tells me that the line will be
4 closed. He put down the receiver because he was too
5 busy. I tried again. Therefore, he wasn't busy to
6 reply. Some people don't answer the telephone. Dis-
7 patching is done badly in Montreal, particularly by
8 one person.

9 Q. Can you determine why somebody was
10 sent before you in that turn?

11 A. No, I haven't been able to find out
12 that.

13 Q. Do you think that it would be
14 pilots who may have exchanged their turns?

15 A. No, I don't think so.

16 MR. JACQUES: Thank you.

17 THE CHAIRMAN: You said in Three Rivers
18 it was no better.

19 THE WITNESS: No better.

20 THE CHAIRMAN: Here it is one person.

21 THE WITNESS: In Three Rivers is only one
22 person. In Montreal I think there are two persons.

23 THE CHAIRMAN: Are there any other questions
24 of Mr. Hemond?

25 Thank you very much, Mr. Hemond.

26 THE WITNESS: You are welcome, sir.

27 MR. LALONDE: I asked Mr. Hemond to bring
28 me the text of the letter that had been sent to all
29 the pilots concerning the specific recommendations of
30 the Corporation of Mid-St. Lawrence Pilots and the



1 French

2 Society of Montreal United Pilots, Exhibit 868.

3 I have this letter and a certificate of Mr. Hemond in
4 which he states he has received two letters, one from
5 Mr. Lomar Gariepy, and one from Mr. Laurent
6 Hamelin both asking about the territorial division
7 Three Rivers-Montreal to have its southwest boundaries
8 at the location bearing the name Montreal East Wharf
9 at Pointe aux Trembles at the entrance of Montreal
10 Harbour.

11 THE CHAIRMAN: So this is Exhibit 868.

12 MR. LALONDE: My lord, I have exhausted
13 my stock of witnesses.

14 THE CHAIRMAN: So there are no witnesses
15 whatsoever for this afternoon.

16 MR. BRISSET: I have no witnesses. I
17 can assure the Commission that it can be a great relief
18 after a most hectic week to have the afternoon off.

19 MR. LALONDE: I would be willing to put
20 the President of the Federation in the box. The pilots
21 have kept Mr. Brisset busy these days -- the pilots
22 and masters of ships. I understand that the cross-
23 examination of the events of April 1962 can be made
24 properly at the present time.

25 THE CHAIRMAN: That would be the cross-
26 examination of Mr. Bedard by Mr. Brisset. He may not
27 be ready to have it.

28 MR. LALONDE: I would concur with Mr.
29 Brisset in saying that as far as I am concerned it would
30 be a relief to have this afternoon free.



1 French

2 MR. RICHARDS: Since the Department of
3 Transport is holding inquiries of shipping casualties
4 and I have to attend on behalf of the Guild, I fully
5 agree that the Commission should rest this afternoon.

6 MR. BRISSET: Before we adjourn, there
7 is one request that perhaps I should make at this
8 stage. It is in connection with Exhibits No. 785, 802,
9 823, 861, the financial statements of the Corporations
10 for the Montreal-Quebec District, the Mid-St. Lawrence
11 Harbour and Montreal-Cornwall and Upper St. Lawrence,
12 and it is that the financial statements produced be
13 annexed to the final distribution sheet of the pool
14 funds for the year as was done in the case of the Quebec
15 Corporation.

16 We were told particularly by the witness
17 this morning that when he received the balance sheet
18 of the United Montreal Pilots for last year, he received
19 at the same time the document which I have just
20 mentioned.

21 MR. LALONDE: I wonder if it was done for
22 the other groups also, but it could be computed.

23 THE CHAIRMAN: This document exists for
24 each Corporation?

25 MR. LALONDE: I don't know whether it
26 exists. It has actually been prepared every year for
27 the other groups whether or not they receive a general
28 sheet of what the others have. I presume it must
29 be so. If not, I can get it prepared because it would
30 appear in the books anyway.



1 French

2 MR. BRISSET: How have they shared in the
3 pool funds?

4 THE CHAIRMAN: And the way they have done
5 for Quebec. We would appreciate it if you could do
6 that and they will be filed together and annexed to the
7 initial report concerned.

8 I wish to remind you that we have quite
9 a few exhibits not filed. Captain Edwards has a few.
10 Mr. Lalonde has some -- By-Law 843. Mr. Saucier has
11 three also.

12 THE SECRETARY: I have a list and I was
13 proposing to give it to Mr. Lalonde.

14 THE CHAIRMAN: We will adjourn now until
15 Monday, the 13th of January. The hearings will be held
16 at the same place at 10:00 o'clock in the morning.

17 We wish you a very good Christmas and a good
18 New Year.

19

20 ---WHEREUPON THE HEARING ADJOURNED UNTIL 10:00 A.M.,

21 MONDAY, THE 13TH DAY OF

22 JANUARY, 1963.

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